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# Straining at a gnat and swallowing a camel: Progressive Indian policy under Cato Sells, 1913-1921

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"STRAINING AT A GNAT AND SWALLOWING A CAMEL:"  
PROGRESSIVE INDIAN POLICY UNDER CATO SELLS, 1913-1921

A Thesis  
Presented to the  
Department of History  
and the  
Faculty of the Graduate College  
University of Nebraska

In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts  
University of Nebraska at Omaha

by  
William Benton Whisenhunt

June, 1992

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THESIS ACCEPTANCE

Acceptance for the faculty of the Graduate College,  
University of Nebraska, in partial fulfillment of the  
requirements for the degree Master of Arts, University of  
Nebraska at Omaha.

Committee

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June 29, 1992  
Date

## ABSTRACT

Cato Sells became Commissioner of Indian Affairs in 1913 after a successful law career in Iowa, and a prosperous banking business in Texas. Always ambitious and hardworking, he climbed the political ladder of the Democratic Party during the late nineteenth century and received the position of Commissioner of Indian Affairs as a payoff in the Woodrow Wilson administration. While commissioner from 1913 to 1921, he addressed a wide range of issues, and these, in turn, attracted a varied response from Native Americans, white reform groups, and government officials. Throughout his difficult tenure in office, Sells found himself constantly on the defensive as he tried to balance the demands of opposing constituencies and to upgrade the performance of an often lethargic bureaucracy.

Land policy dominated much of Sells' official attention precisely because the release of restricted land under the 1887 Dawes Severalty Act began just as he took office. He issued land patents quickly, especially after 1917, to make Indians self-sufficient, but this and other actions ultimately resulted in a tremendous loss of land.

Sells faced attacks from critics about the poor quality of his employees and about dissolving the Indian Bureau. He tried to correct some of the more severe violations while defending his own position, but failed to offer any wholesale change. In another attempt to make Indians self-sufficient,

Sells implemented a new form of education for Native Americans that prepared them for specific jobs. Some Indian groups opposed this change calling it discriminatory because it kept Indians in a cycle of dependency.

Tuberculosis and trachoma ravaged Indian populations well before Sells took office. He took steps, especially in schools, to reduce the spread of these diseases. Alcohol and peyote became a special project for Sells. He advocated the elimination of both of these substances from the lives of Indians without considering the larger questions of personal and religious freedoms. As World War I approached, Sells called for fully integrated military units, despite some opposition. Sells favored citizenship for war veterans, but the commissioner did not endorse wholesale citizenship for all Native Americans.

Sells approached the Indian Bureau with high-minded ideals, but with little knowledge of Indians or the historical development of policy during that previous century. This political appointment did little to benefit the lot of Indians. Like so many who had preceded him into the office, Sells was a proven administrator and a true "progressive," but this combination did not meet the needs of hundreds of different Indian tribes spread across the United States.

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## INTRODUCTION

The office of Commissioner of Indian Affairs has been riddled with controversy since its inception in 1824 as a specialized office within the Department of War, and beyond its transfer to the Interior Department in 1849. The general strategy of early commissioners was to keep Indians separate from white society, as was especially evident in the removal policy imposed on the Five Civilized Tribes. During the 1820s and 1830s, these tribes were forced from their homelands in the southeastern United States and placed in the new Indian Territory that later became Oklahoma. By the mid-nineteenth century, Indian policy shifted to assume a more paternalistic role as Native Americans were rapidly confined to specific reservations and treated as wards of the government.

Despite subtle differences in their approaches, each commissioner faced profound and far-reaching problems, not the least of which was to determine policy for hundreds of separate Indian nations within the United States. Some commissioners met the challenge with vigor and positive results, but most fell short of their stated goals and even created additional problems for Indians. Failure frequently resulted because the commissioner lacked a basic understanding of Indian customs, or because he had few administrative skills for simultaneously satisfying Congress,

agents and outraged reformers. In numerous cases the office became a gift which successful politicians bestowed upon loyal supporters, thus leaving the fate of Indian matters in the hands of men unqualified for the job. Likewise, the nature of the agency system did not lend itself to efficient supervision because the main office was in Washington, D.C., while most of the Indians were confined to reservations west of the Mississippi River. This resulted in slow delivery of supplies and difficulty in defending Native Americans from white raiders.<sup>1</sup>

By the early part of the twentieth century, the prevailing philosophy was one of assimilation. The "Progressive Movement," led by many high-minded reformers, tried to correct the problems of American society by stressing a more active role for various levels of government in producing positive social change. Many of these reformers saw the vast majority of Indians as incapable of becoming a part of white society for now, mainly because of their lack of skills in financial matters. In such cases, progressives advocated guardianship until Indians became more accustomed to white culture and exhibited the ability to handle their own affairs. During much of the Progressive Era, this paternalistic philosophy dominated Indian policy.

In 1912, newly-elected President Woodrow Wilson appointed Franklin K. Lane as Secretary of the Interior to administer the Bureau of Indian Affairs. Wilson and Lane

then chose Texas banker Cato Sells to fill the position of Commissioner of Indian Affairs. The choice of Sells was not an easy one, but Wilson had to select someone free from the scandal that had plagued the office under predecessor Robert G. Valentine. Wilson rewarded Sells for his efforts in the national election in Texas, and simultaneously found someone who shared the same highly moralistic philosophy as the newly-elected president.<sup>2</sup>

Cato Sells was born on October 6, 1859, in Vinton, Iowa, to Captain George Washington and Elizabeth Catherine Sells. Captain Sells practiced law and moved to LaPorte City, Iowa when his son was quite young. In 1873, the elder Sells died suddenly of a heart attack, leaving his wife and two sons. Hard pressed for family income, Cato Sells gained employment in a local hardware store owned by B. S. Stanton who took special interest in the boy and gave him an excellent training in business. Sells attributed much of his later success to the encouragement and guidance that he received from Stanton.<sup>3</sup>

In 1877, Sells entered Cornell College in Mount Vernon, Iowa, while his brother, Douglass, enrolled in Cornell's senior preparatory school. Their mother also moved to Mount Vernon and was employed for several years by the college as a house mother of the Cornell Boarding Association.<sup>4</sup> Sells completed two years at Cornell College and returned to LaPorte City to study law under ex-judge C.A. Bishop. After

two years of intense study, he passed the Iowa bar examination in 1880 and began practicing law in LaPorte City. The local newspaper, The Progress Review, referred to Sells as "a deep thinker, a keen reasoner, an assiduous student, a close observer of men and events, and a brilliant orator."<sup>5</sup>

Sells' political activity began at an early age and lasted throughout his entire life. While a student, he gave speeches for the Democratic Party which gained him the title "boy orator."<sup>6</sup> He served for two years as city recorder of LaPorte City, beginning in 1880, and quickly climbed the political ladder to mayor in 1882, at the age of twenty-three. His popularity remained strong enough that the citizens of LaPorte City called on him to seek another term as mayor, but Sells declined. Instead, he chose to become more active in state Democratic politics by serving on the state Democratic committee for a number of years. Despite his failure to win election in 1886 as Iowa's Secretary of State, the Democratic National Convention sent him to Indiana to campaign for local Democratic candidates because of his celebrated oratorical abilities.<sup>7</sup>

In 1889, Sells moved back to Vinton and was chosen by Governor Horace Boies to be a member of his staff. He served in this capacity until 1892, when he was called to fill former Lieutenant-Governor Joseph Dysart's seat on the board of trustees at the Iowa State College of Agricultural and Mechanical Arts. He served one term on this board and was

nominated for another, but declined the opportunity. At the same time, Sells served two terms as the Benton County District Attorney, and The Progress Review praised him as the "most able and vigilant public prosecutor that county has ever known."<sup>8</sup> A year earlier, Sells had married Lola Abbott McDaniel, with whom he eventually had three children: Dorothy, Donald, and Barbara.

In 1892, Sells was named the secretary of the Democratic National Convention, and the following year he became the chairman of the Iowa State Democratic Convention. A year later, Sells gained more national recognition when President Grover Cleveland named him United States District Attorney for the Northern District of Iowa. He served admirably in this position until 1898, and became known for his fierce prosecution of pension fraud cases involving Civil War veterans.<sup>9</sup> Cornell College recognized his efforts as a prosecutor by conferring an honorary Master of Arts degree on him in that same year. Years later, he would receive honorary law degrees from his alma mater and Baylor University in Texas for his accomplishments as Commissioner of Indian Affairs. In 1898, he returned to Vinton and resumed his private law practice.<sup>10</sup>

Nine years later, Sells moved to Cleburne, Texas and left behind a prosperous law practice in Iowa. As he later noted, he moved to "pursue his political career in the more congenial surroundings of Cleburne."<sup>11</sup> There he established

the Texas State Bank and Trust Company and became heavily involved in local Democratic politics. Three years later, he joined Texas' "Wilson for President" movement after Wilson had just been elected governor of New Jersey. Many notable Texas progressives such as Otis B. Holt, Thomas Watt Gregory, Albert S. Burleson and Thomas B. Love joined Wilson's campaign in Texas. Love forged ahead and called on Governor Wilson to seek the nomination of the Democratic Party for President of the United States.<sup>12</sup>

In Texas, though, a split existed in the Democratic party. The Progressives faced a formidable conservative opposition from Governor Oscar Branch Colquitt and the very influential Senator Joseph Weldon Bailey. To counter the growing threat to his nomination, Wilson travelled to Texas in 1911 and planned strategy with his supporters. At the Oriental Hotel in Dallas, Sells introduced Wilson as the man "whom we all hope will be the next President of the United States."<sup>13</sup> Although, the initial response to Wilson was not entirely favorable, his following continued to grow. He identified himself with the liberal tradition of Senator John Reagan, Governor James Hogg and Judge A. W. Terrell to build Texas support. Unfortunately in the larger arena of Texas politics, the continued endorsement of Wilson by the progressive Democrats produced a further split in the state's Democratic Party. On March 11, 1912, Sells established the Wilson campaign headquarters at the Hotel Southland in

Dallas. By this point, the diligent work of Sells, Love and Gregory propelled the Wilson organizations into nearly every county and town within the state. Their intention was to perfect party organization and to "bring out the vote," which they did very effectively.<sup>14</sup>

Governor John Harman of Ohio ultimately won support in only two states for the 1912 nomination of the Democratic Party. Yet, conservative Democrats in Texas had thrown their support to Harman partially because of his ideals, but mostly to fight the Wilson nomination. They favored Harman's traditional ideas of conservative principles and not the "Socialistic heresies" of Wilson. The Harman campaign was loose in organization, but gaining support in traditionally conservative Texas. In the spring of 1912, however, the president of the Harman organization killed the campaign in Texas by declaring "that if the Democratic party adopted the principles of 'this so-called progressivism,' he [Harman] would turn Republican."<sup>15</sup> By May, the Wilson supporters had gained control of the state Democratic Convention in Houston, and Sells was rewarded for his diligent work by his appointment to the national committee of the Democratic Party.<sup>16</sup> Wilson went on to win the presidency in November of 1912, and took office four months later.

In June of 1913, Sells was selected by the new Secretary of the Interior Franklin K. Lane and President Wilson to be the Commissioner of Indian Affairs. According to Matthew K.



Sniffen of the Indian Rights Association, the selection of Sells was influenced by members of this association. In 1914, Sniffen thanked President Wilson and Secretary Lane for putting the "right man in the right place".<sup>17</sup> Wilson wanted to place "a man of affairs, because he has millions to administer; a man of imagination, that he may have sympathy for the Indian; and, above all, a man with the fear of God in his heart."<sup>18</sup> Here again, the moralistic attitude of the Wilson administration and the whole Progressive Era became apparent. Lane claimed that Sells was perfect for this position because "it would not be a job, but an opportunity."<sup>19</sup>

Sells chose to take this position with a salary of \$5,000 per year instead of a position with the Interstate Commerce Commission for a salary of \$7,500 per year. The New Republic claimed that this position "had taken a grip upon his [Sells] heart and life that no offer of ease or increased salary could shake."<sup>20</sup> The Review of Reviews insisted that this was not a reward for political support, but rather Sells was selected because he represented both "idealism and common sense in managing the Indian Office." Under the leadership of Lane, Sells would "encourage the evolution of Indians into full and self-directed citizenship."<sup>21</sup>

Sells entered the office with the hope of providing strong new leadership that had been lacking under his predecessor, Robert G. Valentine.<sup>22</sup> He faced the challenge

with excitement, despite the fact that he had little knowledge of Indians. Having entered the office with few preconceived notions, he viewed the office as a business proposition, to be run in an honest and efficient manner. He "inventoried" his "plant" of 6,000 employees and made a careful study of its far-flung components.<sup>23</sup> Sniffen praised the "genius" of Sells early on in his tenure, especially his ability to resolve the factionalism of the Bureau and to bring the "house divided against itself" together. Because of the personal ambitions of former commissioners, the Bureau had become chaotic, and Sniffen claimed, the remaining employees were inspired by Sells' "magnetic personality" and enthusiasm.<sup>24</sup> During his eight years as commissioner, Sells faced many monumental problems in administering the Indian policy of Congress, and he approached the office with the same progressive zeal that was characteristic of his formative years in Iowa politics and characteristic of the overall Wilson administration. Early in his first year, he laid out his philosophy on Indian policy. He wanted "to bring about the speedy individualization of the Indian."<sup>25</sup> Among the numerous issues with which Sells dealt, the most pressing of his era were land and agriculture, Indian Bureau reform, educational services, health care, and the military service of Indians.

Sells' new individualization policy brought the land policy of the Bureau into question. When he took office in

1913, the Dawes Severalty Act of 1887 and its twenty-five year protection period had just ended, leaving Sells to determine the competency and fate of numerous Indians. To speed the complicated process, competency commissions were established to survey the different levels of ability among Indians. Once a commission reported its findings, Sells decided whether or not each recommended Indian was ready to accept the responsibility of his allotment and other financial resources. Ultimately feeling great pressure from reformers seeking to have Indians handle their own affairs and persons looking for the chance to buy Indian land, Sells implemented a new policy. He released a large segment of the Indian population from ward status based almost entirely on the amount of Indian blood they possessed.<sup>26</sup>

This "new era" in land policy intensified the problems surrounding Indian rights to their land and resources. Minors' estates in Oklahoma and agricultural rights in many western states became two of the major problems Sells faced. Many Oklahoma Indian minors lost much of their land because of unauthorized sale of their allotments by both government guardians and their own parents and relatives. This problem rapidly accelerated following the discovery of rich oil and coal deposits on Oklahoma lands. Likewise, on the more arid reservations of the West, Indian water rights came under attack from cattle and farming interests.<sup>27</sup>

These pressing problems came about because of poor policies initiated by Sells' predecessors, and because local Indian Bureau officials failed to carry out the policy properly. The latter practice continued to plague Sells and the integrity of the Bureau, especially because it was difficult for Sells to oversee the more than 6,000 employees at such distant locations. Reform groups such as the Indian Rights Association and the Society of American Indians regularly protested the immoral behavior of many local employees whose actions ranged from personal gain on land sales to running prostitution rings of Indian girls.<sup>28</sup>

On the national level, legislation was proposed to reform the Bureau and even to dissolve it altogether. The Johnson Bill, proposed by Senator Edwin Johnson of South Dakota in 1916, advocated that each tribe have the right to select its own superintendents as decided by a majority vote of the male members of the tribe. Further legislation suggested the complete dissolution of the Bureau, which would have left Indians bereft of treaty protections and without any federal monies. This idea sounded extreme but the original intention of Secretary Lane and Commissioner Sells was to move Indians toward independence in order to dissolve the Bureau and save the government money. Yet, the radical wording of this proposal insured its legislative defeat, along with the Johnson Bill.

Education, under Commissioner Robert Valentine, had become an integral part of the proposed solution to Indian assimilation problems. Valentine's administration recorded a higher number of Indians in public schools than ever before, and by 1914, Sells declared that the number of Indians in public schools equalled that of Indians in government schools. Sells agreed with Valentine that educating Native Americans was an important step in freeing them from wardship. Once Indians had attained an education they could supposedly manage their own affairs. In response to this enrollment shift toward public schools, Sells began a program of reducing the number of government schools, so as to save money. He saw the establishment of white public schools on allotted land as a positive step toward the destruction of the reservation system and wardship in general.<sup>29</sup>

In 1916, Sells adopted a new policy of moving education toward more vocational training so that Indians would be better prepared for jobs. Congress likewise implemented compulsory education as a part of its new program for Indian education. While trying to adhere to the congressional guidelines requiring school attendance, he set up special committees to hear Indian complaints on school reform. By the time he left office, Sells had abandoned these committees and accepted the congressional guidelines.<sup>30</sup>

Sells also made efforts to improve the lives of Indians through better health conditions. He received congressional

appropriations to build hospitals and to sponsor lectures on how to live a more healthy and sanitary life. However World War I interrupted these efforts just as the influenza outbreak of 1918 descended with a fury. This epidemic would ultimately claim over two percent of the total Indian population in the United States.<sup>31</sup>

Two other issues that Sells felt compelled to address during his tenure were alcohol and peyote use among Indians. The sale and use of alcohol on reservations was illegal, but white distributors continued to make an impact. Sells vowed that he would not drink any alcohol while he was commissioner, and he claimed that the elimination of alcohol from the lives of Indians was a key step in their liberation. As for the use of peyote, many reform groups petitioned Sells to make forceful strides to curb and even forbid its use. Despite Sells' efforts, peyote remained available because the contents of this drug could not be determined to violate any existing law.<sup>32</sup>

The war in Europe intensified as Sells began his second term, and military service among Indians became a major issue, though it was not a new concept. Throughout American history Indians had played a significant role in the military, usually as scouts or guides for military units in unfamiliar areas. Yet, in the 1890s, experimental Indian companies were organized to see whether or not Native Americans could become accustomed to the regimentation of military life. This project ended with

the units being disbanded by 1897, but the war in Europe sparked more discussion on the subject.<sup>33</sup>

Sells, the reform groups, and military officers could not reach a consensus on the format for Indians in the military service, but they did generally agree that Indians should have the opportunity to serve their country. The dispute centered on the issue of whether Native Americans would be organized in segregated or integrated units. Sells advocated the integrated units as a way of hastening assimilation into white society. Reform groups such as the Society of American Indians supported Sells on this point, but legislative action, promoted by Joseph Kossath Dixon, called for the creation of segregated Indian units. Each Indian recruit would receive citizenship as well. Sells objected to this arrangement by claiming that these units would not provide citizenship training for Indians. He won critical support from Captain Richard Henry Pratt who changed his initial position to support the integrated units because he was in favor of speedy assimilation.<sup>34</sup>

Faith in the quality of Indian soldiers proved itself in their enviable service record, but after World War I, the citizenship controversy re-erupted. Many reformers advocated automatic citizenship for veterans and Sells supported this movement. Others advocated legislation to confer citizenship upon all Indians and free them from government control. Sells hesitated to go that far. With the passage of an act in late

1919 that gave citizenship to all Indian veterans of World War I, the debate subsided until the following decade.<sup>35</sup>

Land policy plagued Sells more than any other single issue of his tenure. While conceding that some "incompetent" Native Americans required continued federal protection, he was eager to release those whom he considered to be ready for life in white society. Unfortunately, this "progressive" notion destroyed more of the Indian land base than any single action since the passage of the 1887 Dawes Severalty Act. Knowledge and cultural sensitivity, not merely good intentions, were the necessary ingredients for a proper national Indian policy, but these were sadly lacking in the late nineteenth and early twentieth centuries, and Sells' administration was no exception.



## ENDNOTES

Title Source: Richard Henry Pratt, "Why Most of our Indians are Dependent and Non-Citizens," delivered at Lake Mohonk Annual Conference, 1914, p. 110.

<sup>1</sup>Francis Paul Prucha, The Great Father v.2, (Lincoln: University of Nebraska Press, 1984), 759-72, 872-88.

<sup>2</sup>Frederick Eugene Hoxie, "Beyond Savagery: The Campaign to Assimilate the American Indian 1880-1920," (PhD dissertation, Brandeis University, 1977), 451-52.

<sup>3</sup>History of Black Hawk County, Iowa and Its People, Illustrated. v. 2 (Chicago: S. J. Clarke, 1915), 187-88.

<sup>4</sup>Mount Vernon Hawkeye, 17 August 1877, p. 2. Author's Interview with Charles Milhauser, Registrar Cornell College, Mount Vernon, Iowa, 27 April 1991.

<sup>5</sup>Progress Review Illustrated Souvenir Edition (La Porte City, Iowa: Progress Review, 1895), 210.

<sup>6</sup>Ibid., p. 210.

<sup>7</sup>Ibid., p. 210.

<sup>8</sup>Ibid., p. 210.

<sup>9</sup>Fort Worth Star Telegram, June 21, 1941.

<sup>10</sup>Milhauser Interview, April 27, 1991.

<sup>11</sup>Laurence Kelly, "Cato Sells 1913-21," in The Commissioners of Indian Affairs, 1824-1977, eds., Robert Kvasnicka and Herman Viola (Lincoln: University of Nebraska Press, 1977), 243.

<sup>12</sup>Arthur Link, "The Wilson Movement in Texas, 1910-12," Southwestern Historical Quarterly 48 (October 1944): 157.

<sup>13</sup>Ibid., p. 161.

<sup>14</sup>Ibid., p. 163-66.

<sup>15</sup>Ibid., p. 168.

<sup>16</sup>Ibid., p. 169.

<sup>17</sup>Matthew K. Sniffen, "A Man and His Opportunity," in Indian Rights Association Papers, 1914, Reel 102, B95, p. 1. The Indian Rights Association was an influential white reform group organized in Philadelphia in 1880. Its papers are reproduced on 136 rolls of microfilm and, hereafter will be referred to as IRAP.

<sup>18</sup>Ibid., p. 2.

<sup>19</sup>Ibid., p. 2.

<sup>20</sup>Ibid., p. 13.

<sup>21</sup>"Portrait," Review of Reviews 48 (August 1913): 151.

<sup>22</sup>Kelly, "Cato Sells," 243-44.

<sup>23</sup>Sniffen, "Man and Opportunity," 4.

<sup>24</sup>Ibid., p. 4.

<sup>25</sup>Kelly, "Cato Sells," 244.

<sup>26</sup>Hoxie, "Beyond Savagery," 450-66. Janet McDonnell, "Competency Commissions and Indian Land Policy 1913-20," South Dakota History 11 (Winter 1980): 21-34.

<sup>27</sup>Prucha, Great Father, v. 2, 888-94.

<sup>28</sup>Herbert Welsh, "Vicious Indian Legislation," in IRAP, 1916, Reel 102, B107, p. 1-3. Thomas Sloan, "The Administration of Indian Affairs," Quarterly Journal of the Society of American Indians 1 (January-April 1913): 83.

<sup>29</sup>Prucha, Great Father, v. 2, 814-30.

<sup>30</sup>Ibid., p. 814-40.

<sup>31</sup>Ibid., p. 841-50.

<sup>32</sup>Ibid., p. 841-63.

<sup>33</sup>Michael L. Tate, "From Scout to Doughboy: The National Debate Over Integrating American Indians into the Military, 1891-1918," Western Historical Quarterly 18 (October 1986): 417-19.

<sup>34</sup>Ibid., p. 426-27.

<sup>35</sup>Ibid., p. 427-37.

## CHAPTER ONE: LAND POLICY

Throughout the early twentieth century, the Indian Bureau and most reform groups continued to promote a process of assimilation for Native Americans, a process which had received major impetus under the Dawes Severalty Act of 1887. Although many Indians accepted the hasty timetable for absorption as demanded by white officials, others pled for a slower evolutionary change. One Crow leader who addressed the Indian Rights Association articulated the need for patience by saying:

it is nothing more than fair to permit us time enough to adapt ourselves to the new conditions forced upon us, to the new mode of living, the new competitive methods of gaining a livelihood, the new line of reasoning, and all these new conditions which the white man with his knowledge of things handed down from ages, and which it has taken him this length of time to master, and which he asks us to assimilate in a fortnight.<sup>1</sup>

The Dawes Act outlined an assimilation plan in which government protection of allotments for twenty-five year trust periods would provide time for Native Americans to develop their agricultural skills and ease themselves into a competitive marketplace. This act allotted land in different amounts, starting with 160 acres for the head of a household, eighty acres for children over eighteen years of age, and forty acres for children under eighteen years.

During the trust period, Indians paid no taxes on the land and they were unable to transfer land title to other peoples, but congressional legislation gradually empowered the Secretary of the Interior to hasten the end of this protective status and open the individual claims to public sale.<sup>2</sup> Most of the problems rested in states west of the Mississippi River and included a wide range of concerns. Among the most significant were the new pace of release of Indian allotments from government protection, the administration of minors' estates in Oklahoma, and the protection of Indian water rights in western states.

The Burke Act of 1906 allowed the Secretary of the Interior to grant competency certificates to those allottees whom he considered ready for the responsibility before the twenty-five year protection period had ended. This came about as a result of pressure from white developers in the west. In general, this relaxation of policy disintegrated individual allotments and other financial resources because Indians were unable to handle the new property tax burden and to find adequate sources of credit to expand farming or livestock raising.<sup>3</sup> Despite the disastrous results of this weakening of the original policy, no new protective legislation had been established by the time Cato Sells took office in 1913. Like his predecessors, the new commissioner's philosophy centered on quickly making Indians a part of white society because he

believed firmly that Indians needed to be responsible for their own affairs. However, rather than rashly granting titles to every Indian who desired one, he adopted a more moderate approach.<sup>4</sup>

Sells focused his plan on the newly created competency commissions which were assigned the task of evaluating the capitalistic abilities of individual Indians. He issued certificates of competency sparingly in his first years, even falling short of the expectations of Secretary Franklin K. Lane and various reform groups. The Indian-edited Word Carrier claimed that Sells moved too slowly in granting these certificates and that his paternalistic attitudes would drag Indians into pauperism.<sup>5</sup> Contrastingly, in the same year, the Word Carrier printed a reader's letter claiming that Sells' policy permitted the exploitation of Indians because most who received certificates were not prepared to handle their affairs.<sup>6</sup> Both criticisms contained accurate observations because in some cases competent Native Americans were overlooked by the commissions, while some incompetents were released because of white pressure for land and resource development.<sup>7</sup>

The commissions developed out of former Commissioner Robert G. Valentine's plan which was utilized on the Omaha Reservation in Nebraska to speed the awarding of land titles in fee simple. Sells appointed Major James

McLaughlin, a former Indian Bureau inspector, and F.A. Thackery, former superintendent of the Pima Reservation, to head the commissions in 1914. Their assignment was to tour reservations and review lists compiled by local superintendents of potential candidates for competency certificates. Once these commissions began to work efficiently, the number of issued patents rose dramatically. After the first year, 576 patents had been granted, and by 1920, Lane and Sells had given over 20,000 patents, which directly affected over one million acres.<sup>8</sup>

To accompany these commissions, Secretary Lane created a ceremony for the granting of competency patents. The first step was for the Indian to step out of a teepee and shoot an arrow. He would then drop the bow and place his hands on a plow as a symbol of his acceptance of the white way of farming and the gospel of hard work. He likewise received a purse to remind him to save what he earned and to be thrifty. At the end of the ceremony, the new citizen would repeat the following pledge:

Forasmuch as the President has said  
that I am worthy to be a citizen of the  
United States, I now promise this flag  
that I will give my hands, my head, and  
my heart to the doing of all that will  
make me a true American citizen.<sup>9</sup>

The Indian Rights Association agreed with Sells that competency rulings demanded separate decisions for each

individual Indian, rather than as a blanket policy for entire reservations. This reform group often relayed stories of competency problems to Sells. One such case involved a South Dakota Indian allottee who repeatedly lost hay to white speculators who claimed part of his land. Indian Rights Association trouble shooter Matthew K. Sniffen asked Sells to intervene and protect this Indian because he could not handle his own affairs. Sells settled this case in favor of the Indian, but other reformers saw this as the commissioner protecting a ward of the government, and others saw the Indian relying upon a government crutch, rather than developing his own accommodationist skills.' Secretary Lane agreed with the latter interpretation. He claimed in 1915 that "we are not looking for an ideal Indian nor a model citizen, but for one who should no longer lean upon the Government to manage his affairs."<sup>10</sup>

These new citizens, for which Lane so diligently searched, were not that easy to find because many people disagreed about what it meant to be competent for citizenship. General Richard Henry Pratt, founder of Pennsylvania's Carlisle Indian School, claimed that the best solution to the acculturation problem was to educate Indians. He felt that most Native Americans were currently unable to handle their own affairs because of ignorance. In his mind, education would provide long-term protection

for Indians, while continued government control over their land would keep them in a cycle of dependence. Gabe E. Parker, of the Board of Indian Commissioners, took the notion a step further by observing that Indians had no concept of money or the true value of land that they possessed. He advocated a protected forty acres of homestead land that could not be sold. The rest of the allotment, however, should be sold to enrich the smaller plot because Native Americans could not handle the larger areas.<sup>11</sup>

More requests flooded the Indian Bureau and the mainstream reformist periodicals about how to handle this matter. Francis LaFlesche, a well-known Omaha Indian, pleaded with Sells to help his people who had seen their tribal funds distributed on a per capita basis. He claimed that most of the members, especially the uneducated, had squandered their money, and were now economically devastated.<sup>12</sup> In contrast to the spendthrifts, many educated and competent Indians resisted patents because they did not favor the unprotected status of their land, nor the taxes that went along with it. They saw citizenship as a detriment to the continued tribal way of life which they preferred. Lane and Sells fought the hardest against these cases by sending registered letters through the mail declaring these Indians competent and forcing the responsibility upon them.<sup>13</sup>



Warren K. Moorehead, of the Board of Indian Commissioners, also proposed a solution to this problem in 1913. He advocated a nine-man national commission to run Indian Affairs. This group would hold all existing land of incompetent Indians for another ten years, and then determine their competency from lists assembled by local superintendents according to Indian blood quantum. Persons with less Indian blood would be considered first for certificates. Moorehead admitted that his plan was not visionary, but it was practical, and it would also save the government money and relieve Congress of bureaucratic work. Moorehead's opponents argued that if the plan were implemented, Indians would remain dependent on the government for another ten years without gaining any means for more education or training.<sup>14</sup> This proposal was defeated, but the Indian Bureau still faced mounting pressure to hasten the individualization process.

Responding to this reality, Sells issued a new policy on competency in 1917, which he outlined in five major provisions. The most significant section released from government supervision all able-bodied Indians of half-blood or less with a patent fee for their homestead. This action released many Indians into white society in one broad stroke. Other features of the new policy included a more liberal stance on the sale and leasing of land held by old and feeble Indians, the release of some tribal money to

individuals, and the elimination of ineligible pupils from government schools. Sells declared this to be a new all-encompassing policy to liberate Indians from government control and to help solve the Indian problem.<sup>15</sup>

The American Indian Magazine, which was the voice of the Society of American Indians, also advocated a more liberal policy concerning competency. It claimed that Indians were not competent or incompetent but, rather they were divided among the educated and uneducated categories.<sup>16</sup> William A. Brown of the Indian Rights Association supported Sells, and he believed that if these new guidelines were not implemented then no more progress could be made on behalf of Indians. He contended that the major obstacle for Sells was the poor quality of some employees in the Indian Service who were responsible for the implementation of the policy.<sup>17</sup> The Board of Indian Commissioners also supported Sells' new policy which they said mirrored the platform that their group had been advocating for a quarter of a century.<sup>18</sup>

Even though the Indian Rights Association supported this new policy, it collectively took an additional step and supported the Carter Bill of 1919. This congressional legislation proposed many of the same concepts that Sells' new policy did, but included a clause that called for the dissolution of tribal rolls and funds, and the distribution of money to each member. Many believed that this would

provide more incentive for Indians to be self-sufficient.<sup>19</sup> In addition to the Indian Rights Association, groups like the Women's National Indian Association supported the bill, even though it never became law. Sells in his annual report of 1919, staunchly claimed that he would not be "hastened to release people before they are ready to handle the unsrupulous trickery of civilization."<sup>20</sup> In his own defense, Sells emphasized the increase in the number of competency certificates issued under his administration. Between 1906 and 1916, 9,894 Indians were released from government supervision, while from 1916 to 1919, nearly 11,000 Indians had been "liberated."<sup>21</sup>

Sells' record on freeing Native Americans from government control seemed impressive. He satisfied the hurried intention of Secretary Lane and many reform groups to some extent. In answer to dissenters from the other side of the argument, he claimed that he made a careful study of each case to ensure that Indians would not be released if they were not able to handle their own affairs. In the end, the overly quick release of so many Indians and their money proved disastrous, and demonstrated that Sells was not as attentive to the details as he had promised.<sup>22</sup>

The Curtis Act of 1908 released numerous Indians from restrictions on their land. This measure went further to place the affairs of minors in Oklahoma under local

jurisdiction, and led to massive corruption of the probate court system in Oklahoma as the multitude of cases were reviewed. Numerous "professional guardians" appeared to assume the protective roles for these children when, in reality, most were out for their own profit. This often resulted in the children losing their estates in a convoluted and self-serving judicial system about which they knew very little.<sup>23</sup> By 1914, Sells had seen enough injustice in the probate of minors' estates in Oklahoma to move him to issue new guidelines. These rules required the approval of local, state and county judges before being enforced. First, each guardian must submit to the court an annual or semi-annual report on the status of the allotment. Second, for any sale of land, the minor must give his unmolested permission. Third, for a bid to be recognized, the bidder must present in cash at least ten percent of the bid. If these guidelines were not followed, then no sale would take place. Sells went even further to advocate rules over the guardians themselves. Guardians must advertise a sale at least five days prior to the event. Once the money was received, the guardian must keep his personal finances and those of the minor separate. If the guardians did not follow these guidelines, they would lose their status as guardians.<sup>24</sup>

Sells was inspired to issue these tougher guidelines because of the numerous reports he had received about the

unethical behavior of attorneys and guardians.

Investigations into the Creek Nation's probate of minors' estates revealed many problems. On the average, attorneys received twenty-percent of the sale as payment, which was at least fifteen-percent higher than that received for white estate sales. Internal investigations conducted by the tribe revealed little information, except from Kate Barnard who was Director of the Oklahoma Commission of Charities and Corrections. She labeled this a conspiracy, intended to strip the land from Oklahoma's Indian population, a conspiracy that began with policy makers in Washington, D.C., and trickled down to the local level in Oklahoma. She sharply criticized Sells' new probate policy as trivial because, in order for these guidelines to be binding, the local, state and county judges had to approve them. She believed that it was these same local judges who were the root of the problem. She chastised the guidelines for only delaying the proper protection that was needed.<sup>25</sup>

Barnard claimed that the conspiracy had started in 1908 when the federal government released the power of probate to the newly formed state of Oklahoma. She estimated that the profit from this unethical behavior was about two hundred million dollars for unscrupulous judges. Her agency, the Oklahoma Commission of Charities and Corrections, acted as the only legal body in the state to protect Indian rights. Just five days before many tribal

rolls were opened for the distribution of nearly \$35,000,000 to individual Native Americans, her agency was dissolved, leaving her powerless to help the Indians.<sup>26</sup> Sells acknowledged the problem and vowed to investigate, but nothing ever came of it.

Many reform groups joined Barnard in her disgust over this issue. The Women's National Indian Association urged Congress and Sells to enact guidelines that would protect Oklahoma Indian minors from losing their estates. This group claimed that one of the most severe problems was that the appointed guardians did not always work in the child's best interest.<sup>27</sup>

The Word Carrier and William Murray of the Lake Mohonk Conference called on Sells to restrict the sale of minors' estates, which left leasing as the only option. Murray feared that this land was being sold unnecessarily by immoral judges, and he demanded punishment of the guilty. He further criticized Sells' guidelines for Indians of three-quarter blood or more having their homesteads and allotments controlled by the government, and those who had one-half to three-quarters blood having their homesteads restricted. In short, Murray wanted stricter guidelines to protect the minors in Oklahoma, but the adults of three-quarter blood or less should be free of all government restriction.<sup>28</sup>

Representing the opposite point of view was George Vaux of the Board of Indian Commissioners, who, in 1916, contended that most of the Osage from Oklahoma were not prepared to handle their allotments or their other finances. Each member of this tribe had received an estimated \$10,000 from the distribution of their tribal funds several years earlier. The majority had wasted their portion and were now destitute. Vaux claimed that this showed that even adult Indians could not handle their responsibilities and should receive the same protection as minors.<sup>29</sup>

As the debate raged in 1916, Oklahoma Senator William Hastings proposed legislation to further strengthen the power of the local superintendents in the state. With so vast an Indian population in Oklahoma, it was difficult for Sells and Secretary Lane to oversee all of their matters, according to Hastings. He therefore advocated that Congress turn over to the local superintendents much of the power that the Secretary of the Interior and Commissioner of Indian Affairs held.<sup>30</sup> The Indians' worst fears were realized in this proposed legislation. The Indian School Journal, published by apprentices at the Indian school in Chilocco, Oklahoma, along with many other Indian periodicals, reacted strongly against this legislation. They feared the strong possibilities of improper and arbitrary behavior by the superintendents. In theory, this

bill would provide more personalized attention from the superintendents, but in reality there would be less supervision of the Indian Bureau employees than ever before.<sup>31</sup>

Fortunately, this legislation did not pass and the power remained with the federal government to the satisfaction of Lane, Sells and others involved in Indian matters. Some children benefitted from this new policy and their property was protected, but most still suffered at the hands of their guardians. Barnard's warnings proved to be partially correct because enforcement of the new probate rules were weakened. By 1919, the Oklahoma legislature passed measures that released local courts from Sells' rules and left the creation of rules to each individual court. These new laws proved to be most damaging to Oklahoma's Indian children.<sup>32</sup>

Sells, in his final annual report, referred to a most horrifying case of exploitation of a minor in Oklahoma by her guardian. In this case, a young woman who could not read, write, or speak English was to be paid \$2,900 for land she had inherited. As far as the probate attorney and county judge knew, she would receive the entire amount. Yet, since she could not handle her own affairs, a guardian orchestrated the transaction. Once the check was issued, she and the guardian cashed it and the guardian received one-half of the money as a fee for his services. In this



case, Sells cancelled the deed to protect the woman. He proclaimed that he protected this Indian woman and many other Native Americans in Oklahoma.<sup>33</sup> In reality, however, this one example clearly illuminated how large and pervasive was the problem of probating these estates.

Despite these problems, Sells still approached the liberation of Indians from government supervision as the primary objective of his administration. The main vehicle for this new freedom was agriculture. He believed that if Native Americans could become viable farmers, they could then live and compete in white society. Early in his term, he declared that he would make the Indian into "the American Cattle King."<sup>34</sup> Sells felt that the most pressing agricultural dilemma for Native Americans was irrigation availability and the protection of water rights. Since most of the Indians involved in agriculture lived in the arid regions of the western United States, access to water became the central issue around which this debate revolved.

Irrigation projects began soon after the Civil War for Indians living in the driest parts of the Great Basin and the Southwest. These projects were designed to aid Native Americans in their agricultural pursuits, but also to keep them separate from the majority of white society. From the early projects of the 1860s and 1870s to the time of Sells' administration, the amount of irrigation money

appropriated by the federal government varied greatly. In 1867, only \$50,000 was designated for irrigation projects, but by 1916, over one-third of a million dollars was mandated for these projects. The increase primarily took place because of the 1914 shift from the federal government paying for projects to a new policy of charging the tribes directly.<sup>35</sup> Although some white reformers feared that these new guidelines would bankrupt the tribes, the Board of Indian Commissioners recommended the hurried building of irrigation projects funded by tribal money. The Board asserted that Indian funds could not be spent without their consent, so Native Americans automatically were protected against exploitation. In addition, the new uniform accounting system for irrigation projects allowed for the value of land to be judged at a more equitable price. The Board's major argument for the self-financing of irrigation systems rested on the notion that persons who benefit from a service should pay for it.<sup>36</sup>

Sells, however, remained cautious about forcing tribes to pay for all water projects. He promised that he would eventually force the responsibility of payment onto those who benefitted from the projects, rather than upon the Indian population as a whole. At this time, Sells saw more Indians taking on farming as a way of life and he was fearful of hurting their chances of success by placing another financial burden on them. Likewise, he saw a need

for Indians to have more access to sources of capital and credit to improve the quality of their land. In his opinion, many Native Americans could not efficiently cultivate their entire allotments without the proper tools and supplies. Furthermore, Sells held that a liberal policy of leasing surplus land would provide the necessary capital while simultaneously relieving Indian families of "excess lands" which could be taxed in the future. For competent Indians to lease their land, they simply needed the permission of their superintendent, unlike incompetents who continued to have their leases negotiated by agents. In one year, early in Sells' tenure, nearly 1200 competent and incompetent Indians received permission for initiating leases. The amount of money brought in by these individuals increased tremendously.<sup>37</sup>

Yet, just a year later, in early 1915, the New York Times reported a story of Indians in Montana who were starving because their tribal funds had been manipulated by white investors. The Crow Reservation held over \$900,000 in tribal funds, but all of the money had been committed to irrigation projects. Time and time again, individual Indians had leased their land to investors in order to raise funds for their irrigation projects, which, in turn, left them without land to farm and money to support themselves. Once the irony became apparent, most reformers spoke out against the leasing of land to persons from

outside the reservation.<sup>38</sup> This one example showed that the exploitation that Sells and the Board of Indian Commissioners promised would not occur had become a reality.

Many reformers saw cases like this as an argument for the protection of irrigation rights on behalf of Native Americans. Sells acknowledged that Indian irrigation rights were weakened in some cases and, in 1915, he offered the Utes of the Uintah Reservation as an example. These Indians experienced problems with receiving water from the streams on their reservation. Sells launched a special investigation and found that white farmers who lived north of the reservation had diverted much of the water from streams to which the Native Americans held legal rights. By 1919, a favorable decision was expected from the federal courts, and, in the interim, a water commissioner was appointed to regulate the water. However, a drought and unscrupulous water regulators plunged the Indians of the Uintah Reservation into despair. They fought for financial assistance and tighter regulations on water allocations until a decision was reached. By 1920, they had regained their rights to the streams which eventually led to improved irrigation and farming.<sup>39</sup>

Far worse was the abuse of Pima water rights at Arizona's Gila Reservation. Between 1871 and 1910, this desert reservation experienced the most profound water

shortage of any reservation in the country. The reservation inhabitants referred to this time as "forty years of famine."<sup>40</sup> To solve this problem, the Gila River needed to be dammed to divert water to more of the reservation. In 1910, the Roosevelt Dam was completed and many Pimas marked this as the end to their hardships, even though water shortages remained a reality for many years. The Indian Bureau experienced difficulty in efficiently managing this reservation because of its remote location and insensitive superintendents who proved inattentive to resource management.<sup>41</sup>

Sells expressed concern for all Indians who lived on arid reservations and who relied on farming for their livelihood. He especially complemented the Pimas for their strength in the face of adversity, which he believed no white man could have endured. During a personal visit to the reservation, he expressed concern about the future flow of water from the Roosevelt Dam. Many Pimas made it clear to him that they wished to build a dam on their own reservation to insure that they would always have an adequate supply of water.<sup>42</sup> By 1918, Sells approved the petition for the building of a dam which he believed would provide more water for the inhabitants, as well as protect the river bed from erosion. The reservation opened itself to take bids for this project which was supposed to be substantially funded by Pima money. No bids were issued

because it was known that the tribe did not have enough funds to pay for it. This left many tribal members despondent about the future, but others did not give up the struggle.<sup>43</sup>

In order to raise the money for the project, the Pimas did two things. First, they leased more of their land to outsiders. Second, they called for F.A. Thackery to return because they needed a strong administrator to help run their affairs. The Indian Rights Association took an active role in questioning this turn of events. In one of the association's anonymous pamphlets, the author criticized Sells for pushing the Pimas to lease their land when it was evident that many of the leasings were not in the best interest of the Indians. The pamphlet contended that Sells was simply reacting to the pressures exerted by the Pima's white neighbors. Yet, Thackery took charge of the reservation and all seemed well for a time.<sup>44</sup>

About three years after his return to the reservation, the Indian Rights Association charged Thackery with diverting water off of the reservation for private gain. Thackery supposedly allowed nearby white farmers to use the reservation water for a fee which he kept for personal income. The Indian Rights Association and Sells conducted investigations, but nothing conclusive pointed to Thackery as the culprit. Nonetheless, the Indian Rights Association called for Thackery's dismissal, which Sells

refused. He simply transferred Thackery to another post, but this did not satisfy the clamorings from the Indian Rights Association and the incident provided a breaking point between Sells and the association.<sup>45</sup> In the past, Sells generally had responded to reports of impropriety by transferring Bureau employees rather than dismissing them. The Indian Rights Association usually yielded to Sells' wishes in order to maintain a good relationship with the commissioner, but not in the Thackery case.

The Navajo Reservation in Arizona and New Mexico also experienced tremendous difficulty in obtaining water for its agricultural endeavors. Sells addressed this problem by pointing out that only 6,500 acres of the 12,000,000 acres of this reservation could be irrigated. Although he funded investigations to see whether or not any irrigation projects should be initiated to provide more water to this reservation, he did not propose any new funding for projects. Instead, he repeatedly referred to the tribe's economic self-sufficiency and their other marketable skills in crafts and rugs as means of enhancing their income.<sup>46</sup>

Likewise, Sells examined the placement of wells that were twenty-five to thirty miles apart and did not serve the needs of the reservation. He proposed a plan that would develop these wells so they would provide an ample water supply for the entire reservation. A field employee observed that many of the inhabitants were eager to work

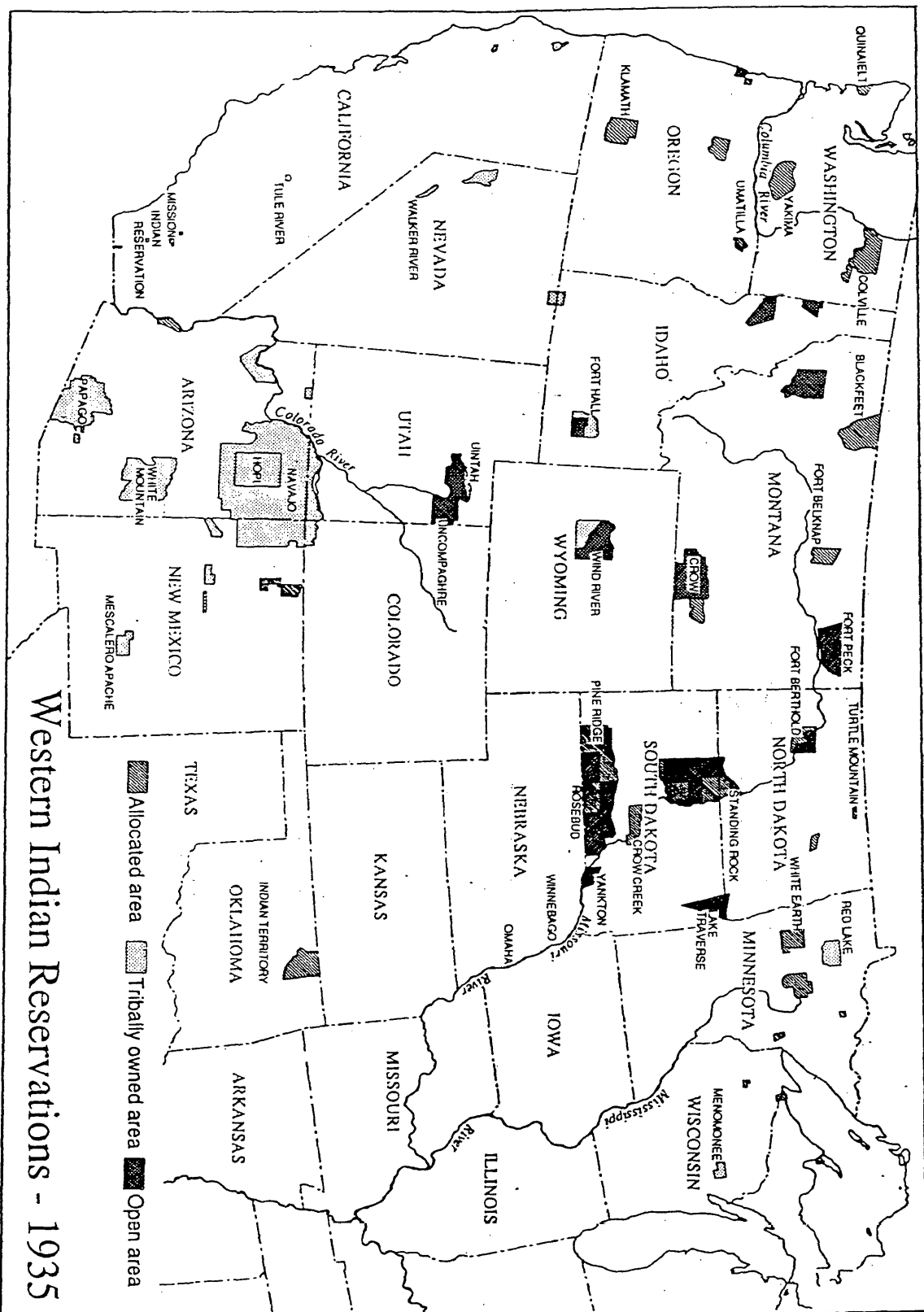
with Sells and the Indian Bureau. He said that the Navajoes were grateful to know that "The Great White Father at Washington has at last come to their rescue, by sending men and machinery with which to develop their water resources."<sup>47</sup>

Many critics of the Indian Bureau policy of helping Native Americans with reservation irrigation projects claimed that Sells moved too quickly for the Indians he served. They pointed out that the land Sells tried to develop for these projects was so agriculturally unmanagable that even experienced white farmers failed to make it productive. On this basis, they called for Sells to discontinue his efforts to irrigate this land for the Native Americans on these reservations and let the land be open for sale and leasing to cattle and mineral interests.<sup>48</sup>

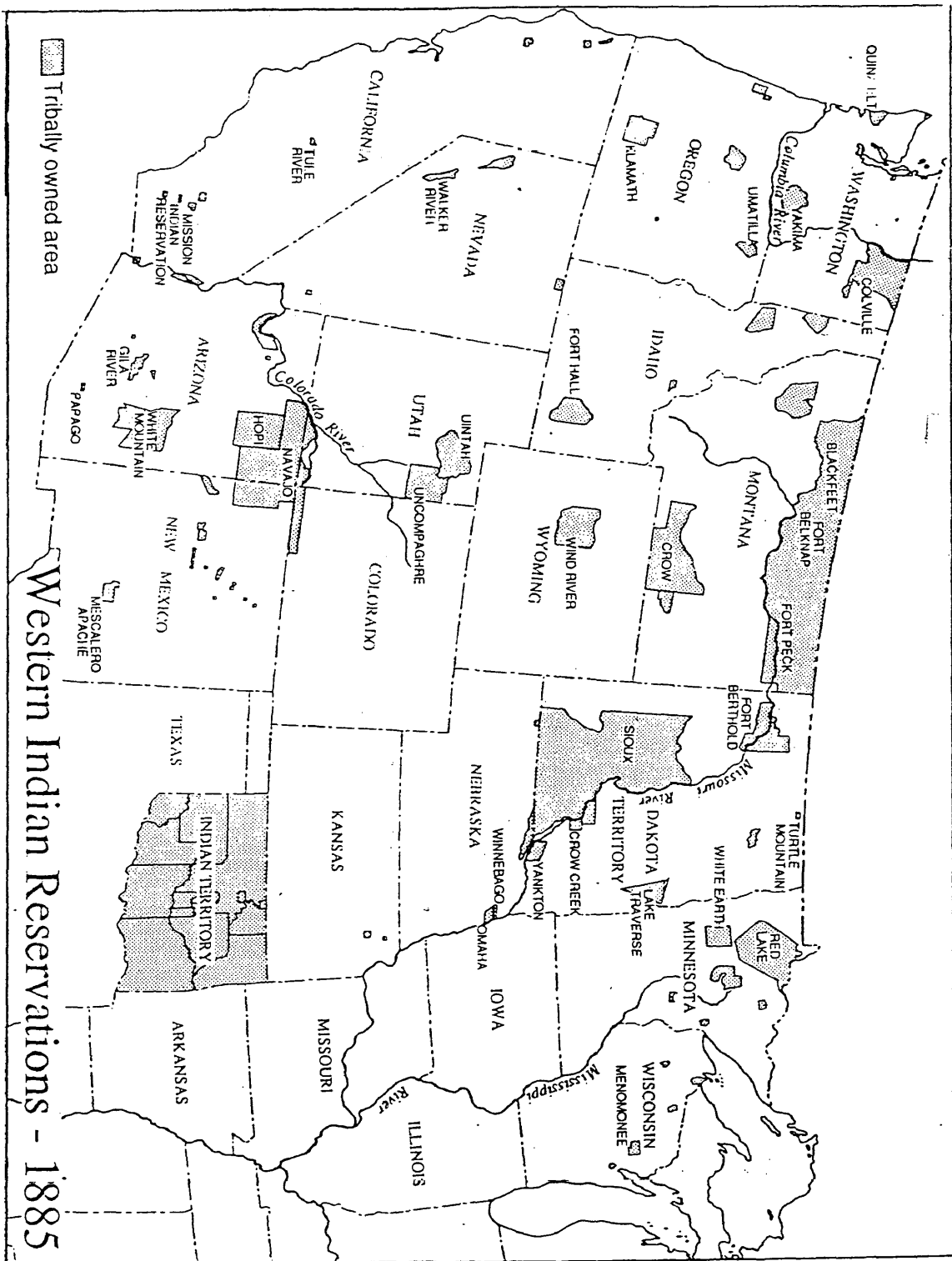
Overall, Sells' land policy of withdrawing federal protective status hurt many more Indians than it helped. While he did protect some minors in Oklahoma, the majority still suffered losses at the hands of their guardians. Over half of the Indian land in Oklahoma was rendered useless by the 1930s because it had been subdivided so many times into small plots that no heirs could utilize it properly. By 1934, the Indian estate had been reduced by 80 million acres from 138 million in 1887 to 52 million. Much of this land was unusable because of "checkerboarding



and complicated land title, overgrazing and erosion, or lack of irrigation."<sup>49</sup> Sells produced similar results in his protectionist policies toward water rights in the West. The problem rested on his poor conceptualization of the policy, as well as his reliance on persons who administered it. Like his predecessors, he tried to simultaneously protect and liberate Native Americans, a process which sent conflicting messages to all persons involved in the debate, and thus, further eroded traditional treaty rights.



Source: Janet McDonnell, *The Dispossession of the American Indian 1887-1934* (Bloomington: Indiana University Press, 1991), p. vi.



Source: Janet McDonnell, The Dispossession of the American Indian 1887-1934 (Bloomington: Indiana University Press, 1991), p. x.

## ENDNOTES

<sup>1</sup>Carl E. Grammer, "A Threatened Raid on the Crow Indian Lands," in Indian Rights Association Papers, 1916, Reel 102, B102, p. 1-4. The Indian Rights Association Papers hereafter will be referred to as IRAP.

<sup>2</sup>United States Statutes At Large v. 24, 388-91.

<sup>3</sup>United States Statutes At Large v. 34, 182.

<sup>4</sup>Laurence F. Schmeckebier, The Office of Indian Affairs: Its History, Activities, and Organization (Baltimore: Johns Hopkins Press, 1927), 148-50.

<sup>5</sup>Word Carrier, (November-December 1913): 4.

<sup>6</sup>Word Carrier, (September-October 1913): 3.

<sup>7</sup>Janet McDonnell, "Competency Commissions and Indian Land Policy, 1913-1920," South Dakota History 11 (Winter 1980): 21-30.

<sup>8</sup>Commissioner of Indian Affairs Annual Report to the Secretary of the Interior, 1915, p. 29. These reports are housed individually on microfiche and are included in the annual report of the Secretary of the Interior. These annual reports hereafter will be referred to as ARCIA.

<sup>9</sup>McDonnell, "Competency Commissions," 25-26.

<sup>10</sup>ARCIA, 1915, p. 349-50.

<sup>11</sup>Gabe E. Parker, "The Indian - Personal vs. Property," delivered at Lake Mohonk Annual Conference, 1913, p. 47-51. This was an influential annual meeting of most of the diverse reform groups. These reports hereafter will be referred to as LMAC.

<sup>12</sup>Francis LaFlesche, "Protection of Indian Lands," delivered at LMAC, 1915, p. 70.

<sup>13</sup>McDonnell, "Competency Commissions," 28-32.

<sup>14</sup>Warren K. Morehead, "An Historical Review of the Indian Situation," delivered at LMAC, 1913, p. 62-64.

<sup>15</sup>ARCIA, 1917, p. 1-5.

<sup>16</sup>Cato Sells, "Declaration of Policy in the Administration of Indian Affairs," American Indian Magazine 5 (April-June 1917): 132-33.

<sup>17</sup>Correspondence from William A. Brown to Cato Sells, July 5, 1917, in IRAP, Reel 132.

<sup>18</sup>Board of Indian Commissioners Annual Report to the Secretary of the Interior, 1917, p. 336. The Board of Indian Commissioners was a group of people outside of the government designed to be a watchdog organization over Indian Affairs. Their reports hereafter will be referred to as BICAR.

<sup>19</sup>Annual Report, in IRAP, 1919, p. 32.

<sup>20</sup>ARCIA, 1919, p. 8.

<sup>21</sup>ARCIA, 1919, p. 8-9.

<sup>22</sup>ARCIA, 1919, p. 7-15.

<sup>23</sup>United States Statutes At Large v. 35, 312.

<sup>24</sup>"The New Probate Court Rules," Indian School Journal 14 (March 1914): 323-24.

<sup>25</sup>"A New Indian Question," Outlook, 114 (September 9, 1914): 62-3.

<sup>26</sup>"Stealing \$200,000,000 From the Oklahoma Indians," Literary Digest 49 (November 28 1914): 1054-55.

<sup>27</sup>Annual Report, Women's National Indian Association, 1914, p. 33-34.

<sup>28</sup>Word Carrier (January-February 1914): 8.

<sup>29</sup>George Vaux, "The Pauperism of Riches," delivered at LMAC, 1916, p. 69-72.

<sup>30</sup>U.S. Congress, House, Committee on Indian Affairs, Conferring Certain Authority Upon The Superintendent for the Five Civilized Tribes in Oklahoma H.R. 108, 64 Congress, 1 Session, 1916: 892.

<sup>31</sup>"Indian Rights Cases Receive Consideration," Indian School Journal 16 (April 1916): 424-25.

<sup>32</sup>ARCIA, 1920, p. 36.

<sup>33</sup>Francis Paul Prucha, The Great Father, v. 2, (Lincoln: University of Nebraska Press, 1984), 904.

<sup>34</sup>Matthew K. Sniffen, "A Man and His Opportunity," in IRAP, 1914, Reel 102, B95, p. 1.

<sup>35</sup>BICAR, 1914, p. 320.

<sup>36</sup>Prucha, Great Father v. 2, 891-93.

<sup>37</sup>ARCIA, 1913, p. 43-45.

<sup>38</sup>ARCIA, 1916, p. 41-47. New York Times, January 2, 1915, p. 1.

<sup>39</sup>ARCIA, 1919, p. 43. ARCIA, 1917, p. 34-37.

<sup>40</sup>Alfonso Ortiz, "The Gila River Piman Water Problem: An Ethnohistorical Account," in Albert H. Schroeder, ed., The Changing Ways of Southwestern Indians A Historic Perspective (Glorietta, New Mexico: Rio Grande Press, 1973), p. 245.

<sup>41</sup>Ibid., p. 252.

<sup>42</sup>"Commissioner Sells Visits the Papagoes and Pimas," Indian School Journal 16 (September 1915): 26-27.

<sup>43</sup>ARCIA, 1917, p. 44-45.

<sup>44</sup>ARCIA, 1919, p. 41-47.

<sup>45</sup>"Threatened Exploitation of the Pima Indians," in IRAP, 1920, Reel 102, B119, p. 1-9. Correspondence to F.A. Thackery from Cato Sells, in IRAP, Reel 34, July 30, 1919, p. 1-3. Correspondence from Samuel Brosius to Cato Sells, July 26, 1916 in IRAP, Reel 31.

<sup>46</sup>ARCIA, 1918, p. 37.

<sup>47</sup>ARCIA, 1917, p. 35.

<sup>48</sup>Janet McDonnell, The Dispossession of the American Indian 1887-1934 (Bloomington: Indiana University Press, 1991), 76-77, 121-122.

<sup>49</sup>Janet McDonnell, "The Disintegration of the Indian Estate: Indian Land Policy, 1913-1929," (PhD dissertation, Marquette University, 1980), 96-97.

## CHAPTER TWO: INDIAN BUREAU REFORM

In 1915, the New York Times exposed alleged corruption among Indian Bureau employees on Montana's Crow Reservation. Supposedly, a number of employees took land away from Native Americans for their own use, including one unnamed official who took 320 acres from Knows His Coups without permission or compensation. The Indian Rights Association, along with many Indians from the reservation, protested these violations and called on Commissioner of Indian Affairs Cato Sells to remedy the situation. In response to this pressure, the commissioner removed superintendent Winfield Scott from the reservation and placed him in another Bureau office in Oklahoma. When Sells nominated Z. Lewis Dalby as the new Superintendent of the Crow Reservation, the Indian Rights Association objected and claimed that Dalby was guilty of the same improper behavior as his predecessor. Sells believed that transferring Scott would solve the problem, but he actually infuriated even more Native Americans, Indian Rights Association leaders, and members of Congress.

Oregon Senator Harry Lane attacked Sells for merely transferring Scott rather than dismissing him, especially in light of the strong charges brought by Helen Pierce Grey who was a resident of the Crow Reservation. She charged that Scott had forged many official government records which left the ownership of some land in question. Grey asserted that



the immediate result of this exploitation was the loss of land and livelihood for Indians, as well as starvation in some of the worst cases. Sells defended Scott's administrative record, but noted that the current superintendent was powerless because of inept leasing policies of previous administrations. The commissioner asserted that Scott was not transferred because of the accusations or investigation, but rather it was a normal transfer consistent with Bureau activities. Most people involved in Indian matters understandably did not believe Sells' rather transparent explanation.<sup>1</sup>

Sells further investigated the problems on this reservation and again declared that the problem originated with his predecessors and their policies, but he assured his critics that he would take steps to help the Indians. The main problem, Sells claimed, was that the land in question had no fences to mark ownership, and therefore it was left as open range. Assistant Commissioner Edgar Merritt supported these findings and cleared Scott of any impropriety. Sells closed his investigation by asserting that the Indians of the Crow Reservation were not starving, and this had been conclusively proven in a report he had received a month earlier from Superintendent Scott.<sup>2</sup>

From its beginnings, the Indian Bureau had been plagued with numerous charges against employees for improper behavior. During the last two decades of the nineteenth

century, the Indian Bureau had nearly doubled in its number of employees, from 2,102 in 1881 to 3,917 in 1897.<sup>3</sup> The employment explosion caused many additional problems for the Bureau and its commissioners because the hurried selection of employees failed to place quality people in vital positions. As the Indian wars wound down in the late nineteenth century, Indian Bureau employees took positions at new agencies throughout the United States, and this made even more difficult the task of supervising employees from the main office in Washington, D.C.

After the 1891 massacre of Sioux at Wounded Knee, the Indian Bureau adopted civil service regulations for its employees to improve their quality and to ensure that a bloody incident of this magnitude would not occur again. Later in the 1890s, the Indian Rights Association uncharacteristically supported the idea of placing army officers into vacant Indian Bureau posts to ensure the high moral character of the employees.<sup>4</sup> Nonetheless, army officers did not take Bureau positions and this government agency continued to be run by civilian employees. By the time Sells took office, many reformers thought that the Bureau had grown too large. They likewise believed that the responsibilities of the Bureau were too great for one man's supervision because the agency had increased its varied roles since the end of the Indian wars.<sup>5</sup>

The nature of the Bureau also lent itself to political paybacks. Politicians had long considered this office to be one of the least important within the government bureaucracy, and they had awarded its positions to cronies without causing many public outcries. Sells was sensitive to this practice because he had been personally charged with receiving his own appointment as a political gift from President Woodrow Wilson for his support in the 1912 presidential campaign. From the commissioner on down, political intrigue played a role in the selection of employees which, in turn, damaged the credibility and integrity of the entire Bureau. Sells, thus felt compelled to address a multitude of allegations about unethical behavior of Indian Bureau employees, reform measures proposed by the Indian Rights Association, and reform legislation proposed by Congress.<sup>6</sup>

Improving the daily administration of the Indian Bureau became one of Sells' top priorities. He noted, in his first annual report to the Secretary of the Interior in 1913, that the volume of letters the Bureau received had increased from 222,187 in 1912, to 275,452 in 1913, a 23.9% increase. The number of letters sent out by the Bureau also increased dramatically from 201,271 to 255,261 in the same year, a 26.4% increase. Sells credited this increase in mail traffic to his new individualization policy which demanded more communication between field employees and the main office in Washington, D.C.<sup>7</sup>

Sells emphasized these statistics so he could praise the work of the employees in his service and show the skeptics that this Bureau was dedicated to the assistance of Indians. He called on Bureau employees to be role models for Indians and often encouraged Native Americans to take positions in the Bureau as well. He encouraged direct Indian participation at every level to improve their own situation and to show their people how to live in the white world. When Sells first took office, he conducted a re-evaluation of all employees to determine their future role in the Indian Bureau. He proposed that a group of inspectors from Schedule B of the Civil Service be assembled to prepare reports on the competence and efficiency of Bureau employees. From these reports he concluded that the Indian Bureau could save money by suspending all Sunday work by Bureau employees except in emergency cases. Sells had discovered that many employees reported work hours on Sundays which seemed unnecessary, and in some cases downright questionable.<sup>8</sup>

Prior to Sells becoming commissioner, employees transferred frequently from one post to another for no apparent reason. He quickly put an end to this arbitrary practice so that continuity could be established on each reservation. Furthermore, Sells felt that the commonly-held notion that Indians were racially inferior was now giving way to a public awareness that large numbers of Native Americans had already adopted white customs. With the goal of

establishing this new "equality" between Indians and whites, Sells instructed his employees to stop calling Native Americans by pejorative terms such as "buck, squaw, or redskin," and he searched for Indian school graduates to fill agency jobs.<sup>9</sup>

The Board of Indian Commissioners shared Sells' view that most Bureau employees were competent, well-intentioned, and good role models for Indians. Yet, the restriction placed on many employees by previous administrations limited their ability to serve. The most profound problem with Bureau employees, according to the Board, was the amount of paperwork each employee was expected to handle. In one year the main office of the Bureau sent out 122 memorandums. This averaged about one memo per employee every three days, which created a flood of paper and interfered with the more important field work. In the end, the Board determined that the constantly changing policy from one administration to the next created confusion among employees and generally produced poor results for Indians.<sup>10</sup>

The Indian Rights Association also took an interest in the administration of the Bureau, especially the activities of Bureau agents. This association employed field representatives to visit the reservations and judge the quality of services delivered to Indians. Sells received numerous allegations from these Indian Rights Association

investigators about the behavior of Indian Bureau employees and the failures of certain facets of federal protection.<sup>11</sup>

In 1914, Sells acknowledged one such problem in the form of the high infant mortality rate among full-blood Indians. He issued a statement to all field matrons instructing them to go into the homes of pregnant women and show them practical skills such as sewing and cooking. Once the baby was born, Sells urged the matrons to provide proper care and nourishment so the babies had a chance for survival in the world.<sup>12</sup>

A.F. MacColl, a former Indian Bureau employee, charged many Bureau employees with "not car[ing] a hoot" about Indians because they did not generally look after the well-being of infant children, a neglect which led to an infant mortality rate of sixty percent on some reservations. MacColl asserted that these employees were of poor character, but he felt that complaining to Sells would do little to remedy the situation, and he looked forward to a new commissioner.<sup>13</sup>

Similarly, Reverend Philip Gordon, of the Society of American Indians, held Sells responsible for the death of Louis Martin, an Indian resident of Hayward, Wisconsin. Martin had frozen to death in his cabin which contained no water or food, and little wood for a fire. He was an elderly man and for years his distant neighbors had helped provide for him in tough times, but the distance and the severity of

the winter left him with no neighborly help. Superintendent F.J. McQuigg provided all of the assistance he could for Martin, but the rations distributed by the federal government were not enough. McQuigg had sent Sells a list of twenty-one people in his area who were in dire need of assistance from the Indian Bureau. He claimed that he had stretched his resources as far as possible, and he asked Sells to send \$500 to relieve the suffering of these people. McQuigg had asked for this money several months before Martin's death, but Sells failed to respond in time to save the man's life.<sup>14</sup> Because of these and similar incidents in the field, Sells endured a poor relationship with the Society of American Indians, Board of Indian Commissioners, and the Indian Rights Association, which harmed his career.<sup>15</sup>

At times, Indians tried to remove their own corrupt superintendents. The leaders of the Santee Reservation in Nebraska and the Yankton Reservation in South Dakota proposed that they combine their agencies in order to eliminate the superintendent position at the former location. The residents of this reservation claimed that Superintendent C.E. Burton had pushed many Native Americans to sell their allotments too quickly, and this had led to economic despair. Matthew K. Sniffen, of the Indian Rights Association, joined the Indians in urging that the commissioner dismiss Burton, and demonstrate to the rest of the Bureau employees that his administration would not tolerate such behavior. As in the

previous case of Superintendent Winfield Scott of the Crow Agency, Sells refused to bow to the pressure of the Indian Rights Association and the inhabitants of the reservation. Instead, he transferred Burton to another reservation which alleviated the immediate problem, but only encouraged further instances of corruption.<sup>16</sup>

A year earlier, Samuel Brosius had reported unethical behavior by the superintendent and agency stockman at the Truxton Canyon Indian School in Valentine, Arizona. Stockman Willis allegedly took advantage of his position and branded much of the Indian cattle herd with his personal symbol, a practice which Superintendent Wadsworth ignored. Brosius claimed that Wadsworth and Willis had turned the school into their private plantation by seizing the best grazing land for themselves and leasing other parts to neighboring white farmers. Furthermore, in the school itself, Brosius charged that forced labor and severe punishment were common. These inexplicable actions sparked little concern from the surrounding white townspeople except when they called for the confinement of students to protect the community from the spread of diseases.<sup>17</sup>

Similarly, on the Fort Berthold Reservation in Montana, questions of immoral behavior arose concerning Superintendent H.F. Jermark who allegedly had sold grazing land to local white herders. Sniffen and other reformers likewise expected the superintendent to keep a close watch on the behavior of



the reservation inhabitants, but Jermark apparently showed little concern at the high rate of unmarried pregnancies and forced marriages on his reservation. Sniffen also called for Sells to investigate rumors that the white female doctor on the reservation had advised Indians improperly about sex, marriage and morality.<sup>18</sup>

Samuel Brosius sent a letter to Sells outlining special complaints about the general character of Martin Bentley who was an Indian Bureau employee in Oklahoma working to influence congressmen on Indian legislation. The Indian Rights Association investigated Bentley's background and discovered that he had a close relationship with a prostitute named Annie Pecon and even had two children with her. She had even fought to gain financial support for the children from Bentley. Brosius called on Sells to further investigate Bentley's character, because the association felt that a person with such a questionable character could not adequately represent the best interests of Indians. Brosius listed several people who could testify to Bentley's faulty character, including, ironically, F.A. Thackery, former superintendent on the Pima Reservation who himself had become involved with misuse of tribal water supplies.<sup>19</sup>

A far worse case of immorality surfaced in the Pine Point Indian School in Minnesota. Principal N.B. Hurr was accused of living with a prostitute, while his wife allegedly had sexual encounters with Indian boys from the school.

Finally, the couple divorced and the principal married the prostitute. Ultimately, Hurr was replaced by Louis Page who was accused of similar activity, except that Page eventually returned to his wife and child. The Supervising Nurse of this school, Luctretia T. Ross, brought these charges to Samuel Brosius of the Indian Rights Association, and he relayed them to Commissioner Sells. She listed more than a dozen cases in this school alone of immoral behavior by officials and pupils alike. She told stories of unmarried pregnancy, abortion and adultery, and concluded her blistering attack with the implication that the principals of this school had worked together secretly to organize prostitution among Indian girls. This charge was never proven.<sup>20</sup>

During September 1920, Brosius uncovered a different type of "moral depravity" on Nevada's Pyramid Lake Reservation where Superintendent Joseph D. Oliver was deemed unfit because he had "lost sympathy for the Indians." Instead of setting a good example for Indians on how to live a better life, he took the law into his own hands. He carried a gun at all times and often shot livestock without provocation. He bought Indian livestock for personal use, took money for leasing privileges, and illegally purchased 8,800 acres.<sup>21</sup>

Four years earlier, Superintendent Charles T. Coggeshal of California's Moronga Reservation was charged with improper

behavior by the Indian Rights Association. He had arrested and detained Joe Pete, an Indian from another reservation, merely for entering the Moronga Reservation. Pete reported his story to Brosius who investigated the matter and called on Sells to dismiss Coggeshal from the Bureau because he believed that the superintendent was a cocaine and opium addict. Sells refused to dismiss Coggeshal, but merely reassigned him to the Salt River Reservation in Arizona.<sup>22</sup>

Just a few months later, in 1916, the newly installed Superintendent Coggeshal was charged by Brosius with using at least \$500 worth of Salt River Reservation gasoline for personal trips in his automobile, and secretly diverting small amounts of water from a reservation irrigation tank for his private swimming pool.<sup>23</sup> The Indian Rights Association openly criticized Sells' tendency to transfer rather than fire such reprehensible employees, and it made effective use of the Coggeshal case to warn about repeat offenders within the Bureau staff.

In response to these charges repeated by the Indian Rights Association, Sells claimed that he came to the office with only one purpose in mind and that was to work for the betterment of the Indians. The best way to accomplish this, he thought, was to avoid controversy, even if it meant not fully prosecuting guilty employees to solve the immediate problems. The Indian Rights Association called this transfer approach the "back door method," because it allowed the

accused person to possibly perpetuate his crimes at another agency. Sells' evasive policy outraged the Indian Rights Association and many Indians, but he also faced frequent political pressure to keep certain individuals in his service regardless of their behavior.<sup>24</sup>

Irritation with Sells over the way he managed the Indian Bureau prompted Carl E. Grammer of the Indian Rights Association to demand in January of 1917, that Sells "strike terror and the fear of God into the hearts of some of these oppressors of the weak."<sup>25</sup> At the same time Sniffen saw Sells as being too weak, so he demanded that the commissioner "administer the functions of this great responsibility as to merit the approval of all rightminded citizens."<sup>26</sup>

Throughout his administration, Sells did not ably handle the controversy about the behavior of Bureau employees. Some members of Congress agreed with the outspoken reformers and Indians that administrative personnel lacked the necessary moral fiber to attend to Native American needs. Most reform groups, including the Indian Rights Association, proposed plans to reform the Bureau, but Congress developed the most radical and far-reaching programs. The United States Senate considered two of these bills in 1916 which, if passed, would have altered the entire structure of the Indian Bureau.<sup>27</sup>

South Dakota Senator Edwin Johnson proposed a bill in 1916 that would have placed the power of recall of superintendents in the hands of the adult male tribal

members. The Secretary of the Interior and the Commissioner of Indian Affairs were required under law to respect and enforce the majority decision by the tribes. This placed the power of superintendent-selection in the hands of the adult male members of the tribe and further weakened the authority of the Indian Bureau. The proposal generally met with disapproval from reformers and the Indian Bureau alike.<sup>27</sup>

The Women's National Indian Association protested against this bill because they felt that the measure moved Indians too quickly toward independence, even though they agreed with the general underlying theory upon which it was based.<sup>28</sup> In early 1917, the Indian Rights Association circulated copies of its opposition to this bill to other reform groups, newspapers and government officials. Carl E. Grammer and Herbert Welsh of the Indian Rights Association protested against the bill because it would jeopardize the careers of competent employees and give Native Americans responsibilities for which they were not yet ready. The critical point for this association was a fear that full-blooded Indians, who were generally deemed less politically sophisticated, would fall prey to unscrupulous mixed-bloods and whites. Welsh warned that, because of these new guidelines, no "competent, self-respecting businessman" would ever take agency jobs, which would leave only poor candidates from which the Indians to choose.<sup>29</sup> Likewise, Samuel Brosius spoke before the Senate to try to persuade the Senate to

defeat the bill. He reaffirmed Welsh's position that this bill would leave the "more dependent full-bloods . . . easy prey of the conniving mixed-bloods and unscrupulous whites." Sherman Coolidge, President of the Society of American Indians, agreed with Brosius that this legislation could only bring despair to Indians.<sup>30</sup>

Joseph H. Choate, a member of the Society of Americans Indians, addressed the same point to Senator Henry F. Ashurst of Arizona. He called on the government to uphold its duty to the nation's wards because the Indians generally were helpless, and the government had a responsibility to protect them from outside corrupting forces. He supported the idea of detribalization of Indians, as put forth in the Dawes Severalty Act and by Commissioner Sells, but he warned against moving the wards too quickly toward citizenship. Choate argued strongly against tribal or state control of Bureau employees because it would only encourage corruption, such as in the case of the probate of minors' estates in Oklahoma. In the end, Choate objected to the Johnson Bill because it would take power away from the federal government and leave it in the hands of some of the worst elements of society.<sup>31</sup>

Former Commissioner of Indian Affairs Francis Leupp, who held office from 1905 through 1909, also opposed the Johnson Bill because it provided too drastic a change too quickly. He agreed with the theory of self-rule for Indians, but did

not feel that this was the proper time for such independence. Having directed the Indian Bureau, Leupp felt that the majority of Indians were not ready to handle all of the responsibilities that accompanied citizenship.<sup>32</sup> Likewise, in an anonymous article in the Indian School Journal, the author defended the Indian Bureau as the best agency for bringing Indians into citizenship. Yet, the writer did not subscribe to the viewpoint set forth in the Johnson Bill because this legislation would reduce the power of the Indian Bureau. The author agreed with Secretary of the Interior Franklin K. Lane's more moderate approach of granting citizenship only to those who could prove their competence.<sup>33</sup>

Senator Johnson felt the growing pressure on his bill as a piece of national legislation so he amended it to include only South Dakota. Despite his adjustments, the Senate did not pass the bill, primarily because of the objections that flooded the Senate from the Indian Bureau, Native Americans and reform groups. Yet, Senator Harry Lane of Oregon supported the Johnson Bill and proposed a bill of his own that would take Johnson's idea further by calling for the complete elimination of the Indian Bureau.<sup>34</sup>

Senator Lane wanted the Bureau of Indian Affairs to be removed from the Department of the Interior, placed under the control of Congress, and administered by three commissioners. A council of all the Indian tribes in the United States would be assembled to select five candidates for the three

positions. The number of representatives for each tribe would be based on population. The tribes with more than 1,000 members would receive three delegates, those with between 500 and 1,000 members would receive two delegates, and those with less than 500 members would be represented by one delegate. The duties of this new triumverate would be identical to those presently held by the Secretary of the Interior and the Commissioner of Indian Affairs.<sup>35</sup>

Once the council submitted its list of five candidates, the President of the United States would choose three from this list, with the Senate's approval. Each of these commissioners would receive a salary of \$5,000 per year. The first duty of the new commissioners would be to reorganize the Indian Bureau to ensure that all Indians in the United States were free from "control, supervision, and management of the United States Government."<sup>36</sup> Regardless of their allotment status, all Native Americans were to be immediately released from wardship, and declared full citizens of the United States and of the state in which they resided. A \$35,000 fund would be established to finance the travel and expenses of the delegates to guarantee that all tribes were fairly represented.<sup>37</sup>

Critics argued even more fervently against the Lane Bill than they had against the Johnson Bill. Former Commissioner Francis Leupp bitterly opposed this action based on two fundamental principles. First, he supported the idea of



self-rule for Native Americans, but this bill moved too quickly for most Indians and would expose them to the worst elements of society. Second, Leupp objected because the bill released all Indians, despite their varying levels of adjustment to life in mainstream society. The former commissioner defended the existing practice of competency tests for citizenship to determine who was best suited for separation from federal protective status.<sup>38</sup>

Joseph Choate also testified before the Senate about his opposition to the Lane Bill. He claimed that under its provisions the Indian Service would no longer have the protection against unscrupulous employees that it now enjoyed with the use of civil service requirements. He noted that this bill was just a more radical form of the Johnson Bill, and he held firmly to the idea of granting citizenship on an individual basis rather than enacting a blanket policy. Choate also supported the individualization program that Sells had proposed as the best method for releasing the wards from government control. He compared the Johnson and Lane Bills by concluding that "the chief difference [was] that one [was] retail and the other [was] wholesale destruction."<sup>39</sup>

Carlos Montezuma, a full-blood Yavapai Apache and member of the Society of American Indians, had attacked Sells and the Indian Bureau for its paternalistic policies even before these two bills came before Congress. In 1914, he advocated that all Indians be freed from government control. Education

alone, Montezuma claimed, would ultimately free the Indian from his constrained life. He likewise advocated the end of the reservation system and the Indian Bureau because reservations made residents into dependent people, and the Indian Bureau only accentuated the differences between Native Americans and whites which slowed the assimilation process. Similarly, he asserted that Indians were being allotted land unfairly by the Bureau because of the misperception that Native Americans did not have the ability to use large allotments of land efficiently. Montezuma suggested that racial justifications motivated the Bureau's adherence to the reservation system, and he asserted that this type of treatment would not have occurred if it had involved a different racial or ethnic group.<sup>40</sup>

Charles Chickeney, a member of the Society of American Indians, agreed with Montezuma that this paternalistic policy did not help Indians. He charged the Indian Bureau with being a menace that "ignore[d] freedom and blight[ed] all ambition."<sup>41</sup> Montezuma continued his attacks and told Secretary Lane that he should end the ward system and allow Indians to develop the land they already had to the best of their abilities. He also reminded Native Americans that the Indian Bureau would not always be available to them, and thus, they should take their lives into their own hands and become self-sufficient. He called the Indian Bureau and its ward system "leeches [that] suck the blood of the Indian."<sup>42</sup>

In the end, the Lane Bill failed to pass the Senate, despite support from some persons seeking immediate freedom for Native Americans. However, the stated intention of Secretary Lane and Commissioner Sells continued to be the gradual dissolution of the Indian Bureau and release of all Indians into mainstream society after being armed with full citizenship. Obviously, these two bills did not follow the same timetable that the secretary and commissioner had envisioned.

The supervision and discipline of Indian Bureau employees under Sells truly left something to be desired. He tried to bring together an agency whose employees were spread all over the country, at a time when communications were tortuous. To accomplish this, he adopted a policy based on the theory that the least amount of conflict would result in the most harmonious situation and the greatest number of benefits to Indians. Unfortunately, Sells did not achieve much harmony because of his tendency to transfer repudiated Bureau employees. This evasive policy therefore damaged Sells' credibility with many of the more influential Indian reform groups, including the Indian Rights Association.

Many accusations concerning misbehavior by Bureau employees were never proven to be true. Yet, the constant flood of innuendo, whether true or not, helped shape the image of the Indian Bureau and Commissioner Sells. Most reformers agreed that the solution was not to eliminate the

Indian Bureau or even to reduce its power, but rather to install honest employees to manage the nation's wards until they were ready for citizenship. Despite their differences over the role of the Indian Bureau, Sells and Montezuma agreed that education was a key to Indian liberation and assimilation into white society. That subject became the next battleground among reformers and the Bureau of Indian Affairs.

## ENDNOTES

<sup>1</sup>"Starving Indians Losing Their Land," New York Times, January 3, 1915, III, p. 3.

<sup>2</sup>"The Starving Indians," New York Times, January 10, 1915, VIII, p. 1.

<sup>3</sup>Francis Paul Prucha, The Great Father, v. 2, (Lincoln: University of Nebraska Press, 1984), 717.

<sup>4</sup>Ibid., p. 730-36.

<sup>5</sup>Ibid., p. 733-36.

<sup>6</sup>Ibid., p. 720-36.

<sup>7</sup>Commissioner of Indian Affairs Annual Report to the Secretary of the Interior, 1913, p. 40-41. These reports are housed individually on microfiche and are included in the annual reports of the Secretary of the Interior. These reports hereafter will be referred to as ARCIA.

<sup>8</sup>ARCIA, 1914, p. 66-69.

<sup>9</sup>ARCIA, 1915, p. 15-17.

<sup>10</sup>Board of Indian Commissioners Annual Report to Secretary of the Interior, 1914, p. 317, 1915, p. 433. The Board of Indian Commissioners was a group outside of the government designed to be a watchdog organization over Indian Affairs. Their reports hereafter will be referred to as BICAR.

<sup>11</sup>Correspondence from Indian Rights Association to Cato Sells, in Indian Rights Association Papers, Reel 34, November 5, 1919, p. 1. The Indian Rights Association Papers hereafter will be referred to as IRAP.

<sup>12</sup>ARCIA, 1914, p. 16-17.

<sup>13</sup>Correspondence from A.F. MacColl to Cato Sells, January 15, 1916, in IRAP, Reel 31, p. 1-2.

<sup>14</sup>Philip Gordon, "Rev. Philip Gordon, 1st Vice Pres. SAI and Destitute Reservation Indians," American Indian Magazine 6 (Spring 1919): 29-31. This magazine began in 1913 as the Quarterly Journal of the Society of American Indians, but

changed its name to the American Indian Magazine in January, 1916.

<sup>15</sup>Correspondence from Indian Rights Association to Cato Sells, in IRAP, Reel 34, November 5, 1919, p. 1-9.

<sup>16</sup>Correspondence from Matthew K. Sniffen to Cato Sells, in IRAP, Reel 33, February 21, 1918, p. 1-7. Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 32, August 12, 1917, p. 1.

<sup>17</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 31, March 14, 1916, p. 1-4.

<sup>18</sup>Correspondence from Matthew K. Sniffen to Cato Sells, in IRAP, Reel 31, September 14, 1916, p. 1-5.

<sup>19</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 30, February 24, 1915, p. 1-3.

<sup>20</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 28, November 11, 1913, p. 1-6.

<sup>21</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 35, September 23, 1920, p. 1-8.

<sup>22</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 33, January 18, 1918, p. 1-9.

<sup>23</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 31, October 26, 1916, p. 1.

<sup>24</sup>Correspondence from Indian Rights Association to Cato Sells, in IRAP, Reel 34, November 28, 1919, p. 7-8.

<sup>25</sup>Correspondence from Carl E. Grammer to Cato Sells, in IRAP, Reel 32, January 5, 1917, p. 3.

<sup>26</sup>Correspondence from Matthew K. Sniffen to Cato Sells, in IRAP, Reel 31, May 5, 1916, p. 1.

<sup>27</sup>Congressional Record, Senate, 64 Congress, 1 Session, July 22, 1916, p. 714.

<sup>28</sup>Annual Report, Women's National Indian Association, 1916, p. 30.

<sup>29</sup>Carl E. Grammer and Herbert Welsh, "Johnson Bill," in IRAP, Reel 102, B108, December 1, 1916, p. 1-2. Herbert

Welsh, "Vicious Indian Legislation," in IRAP, May 10, 1916, Reel 102, B107, p. 1-3.

<sup>30</sup>Congressional Record, Senate, 64 Congress, 1 Session, August 5, 1916, p. 12160-61.

<sup>31</sup>Congressional Record, Senate, 64 Congress, 1 Session, August 5, 1916. p. 12162.

<sup>32</sup>Francis E. Leupp, "Putting the Indian Upon His Feet," Indian School Journal 16 (May 1916): 469-72.

<sup>33</sup>"The Indian Problem," Indian School Journal 17 (April 1917): 413.

<sup>34</sup>Congressional Record, Senate, 64 Congress, 1 Session, August 5, 1916, p. 12160-62.

<sup>35</sup>Congressional Record, Senate, 64 Congress, 1 Session, May 5, 1916, p. 7442.

<sup>36</sup>Congressional Record, Senate, 64 Congress, 1 Session, May 5, 1916, p. 7442.

<sup>37</sup>Ibid., p. 7442.

<sup>38</sup>Leupp, "Putting the Indian," 469-72.

<sup>39</sup>Congressional Record, Senate, 64 Congress, 1 Session, August 5, 1916, p. 12162.

<sup>40</sup>Carlos Montezuma, "What Indians Must Do," Quarterly Journal of the Society of American Indians 2 (October-December 1914): 294-99.

<sup>41</sup>Charles W. Chickeney, "Paternalism Does Not Promote Progress," Quarterly Journal of the Society of American Indians 2 (October-December 1914): p. 300-02.

<sup>42</sup>Carlos Montezuma, "End the Ward System," American Indian Magazine 7 (Summer 1919): 81-82. Carlos Montezuma, "Let My People Go," American Indian Magazine 4 (January-March 1916): 32-33.

### CHAPTER THREE: EDUCATION POLICY AND REFORM

Richard H. Pratt bluntly expressed the general opinion among educators and legislators by declaring in 1915: "Don't feed America to the Indian, which is a tribalizing and not an Americanizing process; but feed the Indian to America, and America will do the assimilating and annihilate the problem."<sup>1</sup> Yet, the educational debate had come through a long and tortuous path before reaching that level of consensus in the early twentieth century. Since the beginning of the nineteenth century, the federal government had attempted to provide financial support for Native American education, but this effort had always fallen short of the necessary levels. After the Civil War, the need for Indian education dramatically increased as more Indians were placed on reservations and expected to make cultural transformations. The federal government made major strides to meet the demand for these schools, but the greatest contribution came from independent groups, often missionary societies which established their own schools on or near reservations.<sup>2</sup>

In the late nineteenth century, many Americans believed that the American way of life was the best system in the world. Generally, those reformers held their culture above the rest of the world, including other sub-cultures within the United States such as Native Americans. By the 1870s,



reformers almost uniformly believed that a highly structured educational system was the primary means of attaining complete assimilation of these diverse peoples. With this goal in mind, Captain Pratt dramatically redirected federal funding toward government schools when he founded the Carlisle Indian School in Pennsylvania in 1879. Within two decades, twenty-five off-reservation schools had been opened with the help of federal monies.<sup>3</sup>

By the time of Cato Sells' administration, the Indian education system had developed four different types of schools. First, the industrial, off-reservation boarding school such as Carlisle became popular, especially among those Indians who were already considered more "civilized." These Indians were thought of as more willing and financially able to send their children away to learn white customs. Second, reservation day schools were developed to keep children at home. These schools appealed to the more traditional Indians because they did not like to send their children away, and this system allowed children to help tend the land with their parents. Third, the public schools near Indian reservations offered students a place to become directly integrated into white society. Many critics of boarding schools predicted that the segregation of white and Indian students would not last much longer because better acculturation occurred when Indians and whites were educated together.<sup>4</sup>

The last type of school was the mission school. Even though relatively few Indians sent their children to these types of institutions by the early twentieth century, they did remain popular on some reservations. A bitter conflict between Catholics and Protestants had arisen after the Civil War when almost all of the Indian agencies were assigned to Protestants. By the time of Sells' administration, however, Catholics had established an educational role for themselves through the Bureau of Catholic Missions, which was especially well represented in the Southwest and California.<sup>5</sup>

With this varied approach to Indian education, few Indian children were left without some type of educational opportunity. Yet, by the early twentieth century, the Indian Bureau and federal government wanted to dissolve the mix of federal boarding schools and reservation day schools, and to encourage Indians to attend public institutions. This supposedly would further the assimilation process, as well as save the government money. Commissioner of Indian Affairs Sells encouraged white settlers to move near Indian reservations and establish public schools that would be open to both Indian and white students. He believed that this would help gradually eliminate the reservation system as a concern for the federal government.<sup>6</sup>

Despite his commitment to expansion of public schools, Sells also became committed to making boarding schools into manual training institutions, and placing graduates into

mainstream factories to show that Indians could be just as industrially proficient as whites. The commissioner directed Indian education away from the purely academic fields toward more practical, hands-on training that would give Indians the knowledge they needed to compete in the white world.<sup>7</sup>

Commissioner Sells' general theory of reform focused on individualization, or detribalization, and his plan for education adhered to this theory as well. He wanted to bring Indian education to a level equal with white curriculum so that Native Americans could find economic security and relieve his office of some financial burdens. Discussion about education centered on regulations, funding programs, the role of moral instruction, the purposes of industrial training, the role of returned students, and opportunities in higher education. Predictably, each of these issues sparked debate from a variety of reformist sources.

Sells outlined a uniform plan for government boarding schools early in his tenure. He required 217 days of school a year for each Indian, and class size would range from twenty-five to forty students. In 1913, there were seventy-six reservation boarding schools, with between 75 and 400 students enrolled in each. Furthermore, the federal government paid the tuition of Five Civilized Tribes' students at thirty-five off-reservation schools, forty-five public schools, and over 325 public schools in Oklahoma.<sup>8</sup>

With the government responsible for all of these institutions, Sells worked to place additional Indians in public schools rather than in the more expensive boarding schools. Similarly, Sells pushed to have Indian public school students pay their own tuition if their parents were able. He felt that this would alleviate unnecessary government expenditures, and place responsibility on Native American families who could feel more pride in their accomplishments. In 1917, Sells proposed the transfer of all Indian pupils from government schools who could afford to pay the tuition at a public school. With this new policy in place, the number of Indians in public schools increased by 157% between 1913 and 1917.<sup>9</sup> Sells viewed this dramatic increase as a benefit because public schools would keep Indian children at home to help their parents work respective land allotments. Also, this would teach the younger generation "white ways," which, in turn, would speed the dissolution of the reservation system.<sup>10</sup>

The Board of Indian Commissioners supported Sells' new program for financing schools, but they also illuminated a number of disturbing inadequacies in the educational system. First, many of the smaller public schools were understaffed and lacked vital equipment. Second, and more alarming, the Board noted that only 60% of the eligible Indian students in Oklahoma attended school, while 72% of all eligible children in the United States were enrolled. Oklahoma, though, was

not the worst case. The Navajo Reservation, stretching across northern New Mexico and Arizona, only recorded a 28% attendance rate among the eligible population. The Board called on Sells to encourage education among all tribes, but especially on the Navajo Reservation where the traditional beliefs often conflicted with the white-oriented curriculum.<sup>11</sup>

Secretary of the Interior Franklin K. Lane encouraged Sells to "free" Indians from government schools and to put them on their own resources as soon as possible. He supported freeing those Indians who already had an education from government protection, while keeping uneducated Indians under government protection for the immediate time. Lane claimed that this would create two classes of Indians, and the change would have a positive effect because the protected class would have proper role models to emulate.<sup>12</sup>

In more heated terms, F.B. Riggs expressed his disgust over the misuse of government schools by Indians. He felt that free government schools hurt Native Americans because they coddled this group and made them more dependent. Riggs also disagreed with Lane about the role of government schools. Lane wanted to use them in a limited way, but Riggs felt that it was unfair for the government to operate these schools in competition with public and private institutions. Yet, curiously, Riggs did endorse the concept of separate Indian schools because he felt that Indians could not

effectively compete in white schools. He noted that during the previous century there had been little increase in the number of Indians attaining higher academic training. In response to this reality, Riggs wanted to discontinue all academic training and focus efforts on industrial training.<sup>13</sup>

Problems arose concerning the availability of educational facilities for all Indian children. In an editorial for the American Indian Magazine, the anonymous author noted that the Sioux in South Dakota were required to have compulsory education by an 1862 act of Congress. Yet, in order to maintain their schools over the years, they had to sell much of their tribal land. Even with the availability of this money, the facilities still fell short of Sioux needs by excluding about 700 students for want of space. This contributed to a high illiteracy rate of well over 40% for the children of the tribe. Sells vowed to correct this problem by raising the educational facilities for the Sioux to equal the rest of the nation by 1925.<sup>14</sup> Similarly, H.B. Peairs, of the Lake Mohonk Conference, pointed out many areas that lacked proper facilities in his address in 1913. He claimed that there were at least 10,000 Indian children, mostly in remote areas, who had no chance for education. He also proposed that the Indian Bureau and the federal government provide schools for about 7,000 "defective" children across the country because he felt that this was the best means of achieving eventual assimilation.<sup>15</sup>

In an article for the Quarterly Journal of the Society of American Indians, later known as the American Indian Magazine, Frank G. Speck, professor at the University of Pennsylvania, protested against Indian Bureau employees because they knew about Indians, but did not know Indians. He opposed Sells' new education plan which had won the support of most people involved in Indian matters. Speck accused the Indian Bureau of educating Indians to destroy their own culture, which he thought would leave Indians without any identity as just another "darkman" in America. Speck claimed that whites had once admired Indian culture, but after Native Americans became an apparent impediment to progress, this admiration faded, and the process of deculturization began. He advocated that instead of educating Indians to become more like whites, whites should be educated to appreciate the cultural distinctiveness of Native Americans.<sup>16</sup>

Unfortunately, Speck expressed the minority opinion on Indian education at that time. Most Bureau employees and reformers advocated the placement of the majority of Indians into white schools to quickly assimilate and make "productive citizens" out of them. This progressive zeal affected every aspect of Indian education, but probably the most striking result was the outcry for more moral education among Indians.

Sells believed that the primary mission of Indian education was to create "right-thinking, productive

citizens," a process which placed special emphasis on moral instruction. He insisted that teachers not only teach moral values in the classroom, but also teach by example in the way they conducted their public and private lives.<sup>17</sup> Yet, the commissioner received numerous reports from the Indian Rights Association about immoral behavior among teachers and students. Soon after Sells took office in 1913, charges of immorality surfaced at the Carlisle Indian School. Antoine DeNomio, a student at the institution, described the situation as quite poor. Laura Kellogg, another student, supported her classmate and charged Superintendent Moses Friedman with being the source of this improper behavior. The superintendent denied these charges and claimed he possessed a high moral character. Later in that same year, charges of alcohol abuse and many runaway students flooded Sells' office from the same institution. Indian Rights Association investigator Matthew K. Sniffen charged that the students were at fault in this case. They did not show proper respect toward Friedman because they called him "a dirty Jew," which was probably the source of the problem.<sup>18</sup> Sells found Friedman innocent of the charges, but encouraged him and other Carlisle employees to instill better morality in their students.

Many Indian schools took steps to control behavior, including the banning of student dances which, by 1917, caused a backlash among some government officials. These



observers felt that dances added a necessary socializing element to the educational experience. Reverend Robert D. Hall, editor of the Y.M.C.A. Bulletin, disagreed in the pages of Indian's Friend, where he protested against dancing because it encouraged immoral behavior. He compared dancing to the issuance of cigars once a week. All week long students were drilled with lessons on proper behavior, but on a weekend night this was contradicted, which he felt sent mixed messages to Native Americans.<sup>19</sup>

Samuel Brosius, of the Indian Rights Association, also reported a number of student behavior problems at the Carlisle School in late 1913. Two students were arrested and charged with fornication. The local authorities wanted to jail the couple, but fornication was only a misdemeanor, carrying a maximum of a \$100 fine, which both received. Brosius urged Sells to investigate the problems at Carlisle, especially those involving the girls of the school. He claimed that many female students wandered away unattended, used intoxicants, and had a general lack of discipline. When the commissioner investigated these charges, he determined that Friedman was a competent employee, that this moral depravity had originated earlier in the Indian students' homes, and that their future educational experience at Carlisle would correct the problem.<sup>20</sup>

Late that same year, Milton Fairchild, Director of Instruction at the National Institution for Moral Instruction

in Baltimore, addressed the Carlisle students and staff about the importance of moral education for Indians. He did not define Indians as a unique group that needed special lessons, but rather he included Indians among the general American population to stress the importance of uniform guidelines. Fairchild believed that moral education would be more beneficial to Indians than any other educational approach. He delivered the same speech at the Haskell Institute, in Kansas, which he claimed possessed a better quality of student. Earlier, he had found the students at Carlisle to be inattentive, but, overall, he praised the "Americanization" work at Carlisle.<sup>21</sup>

Fairchild agreed with many other education reformers that the keys to the success of Indian education were the teachers and the methods they employed. He claimed that the best way to teach proper behavior was not by lecturing, but by working closely with children in their everyday lives and showing didactic lessons through common daily activities, rather than through some grand theory. For this to be effective, Fairchild believed, teachers had to have the proper moral training themselves.<sup>22</sup> Reformers called for more careful selection of teachers because the focus of schools had moved away from academic subjects to a moral emphasis. Likewise, the main goal of students was to enliven a new spirit for education among their tribes since most Indian parents had failed to instill these values. Emma

Tooker wrote to the Indian School Journal that Indian parents allegedly had become too busy to teach their own children proper manners, so the schools had to assume this responsibility.<sup>23</sup>

Teachers also adopted new methods for teaching Indians. They concentrated more effort on instructing children in a way that would encourage their natural abilities, rather than forcing students to fit a mold. Grace M. Jackson asserted that close observation of Indian children would provide a way to understand the unique interests of each child. She claimed that play-time was one of the best ways to see what each child liked to do, because play was merely an imitation of life. Sells supported this individualistic approach to education and stressed the importance of religious tolerance among his teachers.<sup>24</sup>

Charles W. McGilberry and James Smith, both prize-winning student writers, asserted in the Quarterly Journal of the Society of American Indians that moral education among Indians would not only make better Indians, but a better nation. With a formal education, Indians would become responsible citizens, but also not until then.<sup>25</sup> Yet, Emma Johnson Goulette, a Pottowatomie from Shawnee, Oklahoma, charged some Indian Bureau employees with continued racism, which made it even more difficult for Native Americans to succeed. She asserted that Indians were expected to behave and perform better than whites merely to be considered equal.

She protested this attitude, and advocated more industrial and vocational training for Indians so that they could compete fairly within the larger society.<sup>26</sup>

The Word Carrier published a story by Indian student Lucy Ruillard on what Indian school meant to her. She was in the seventh grade and had been in school for five years. She loved the experience and claimed that all of her classmates felt the same way. She studied history, art, arithmetic, and agriculture, but her favorite activities were basketball and gardening. In the end, she asserted that the best thing about attending an Indian school was the fact that she learned more about Christianity.<sup>27</sup> Sells and many other government officials saw her as a proper example of what Indian students should be.

To supplement the commissioner's commitment to traditional academic and moral instruction, many reformers advocated more manual training courses. Arthur C. Parker, a member of the Seneca tribe and the Society of American Indians, called for uniform productivity whereby Indians and others had to adapt to the changing industrial world. He claimed that the old classical education was static and would not make Indians into good farmers or factory workers. He stressed the difference between industrial and vocational training, and urged schools to adopt a program for both. Parker claimed that industrial education concentrated on a general knowledge of all industries, while vocational

training developed a specialized skill. Yet, Parker did not believe that all academic training should be eliminated. Rather, he proposed teaching enough traditional subject matter to make Indians efficient workers and moral citizens. Enhancing immediate job prospects, however, became the real concern for Parker.<sup>28</sup>

Henry Roe Cloud, a Winnebago and member of the Society of American Indians, agreed with Parker that unless education was useful to a person's "head, heart, and hand," it was useless. He advocated that all students should utilize the best of their abilities, whether vocational or academic, regardless of the resistance expressed by traditional parents who were skeptical about the value of white education.<sup>29</sup>

H.B. Peairs also recognized the value of vocational education, and he believed the high drop-out rate could be cured by increasing vocational training to better prepare students for the real world. In 1916, Peairs wanted Indian students to attend white schools, and he adopted the slogan, "every Indian child in some school within five years."<sup>30</sup> His dream, however, was not realized. Similarly, James Buchanan wrote in the Indian School Journal that Indian students should be trained in areas where they had a special interest. He also lamented that many students had the wrong ideas about service to their community. Service should be something pleasurable, he argued.<sup>31</sup>

By 1916, Sells had outlined his plan to switch Indian education away from the traditional academic emphasis to more industrial and vocational instruction. He believed that the purpose of Indian schools was to create: "not the perfect farmer or the perfect housewife, but the development of character and sufficient industrial efficiency to enable the returned boy or girl to derive happiness and comfort from a home created by individual efforts."<sup>32</sup>

The commissioner used this concept as the basis on which to draft a course of study for Indian schools which were divided into primary, pre-vocational and vocational courses. The primary division included the first three grades and it emphasized industrial and vocational work even in the first grade. About half of the class time in day schools was dedicated to industrial and occupational study, while at boarding schools even more time was spent in these areas. For the second grade, in day schools, the amount of time remained the same, but for boarding schools the emphasis shifted to industrial work which was to occupy about two-thirds of the day. The time distribution remained the same for the third grade in both day and boarding schools.<sup>33</sup>

The pre-vocational division included the fourth through sixth grades. At the boarding schools, purely academic subjects were reduced to about one hour per day in the fourth grade, while the vocational activities greatly increased. The fifth and sixth grades were also designed this way, with

the additional allotment of over five hours per day for vocational studies. Other courses receiving more attention in this division were personal behavior, sanitation and hygiene. This division tried to prepare Indians for general work and to be good citizens because many students did not advance educationally beyond this point.<sup>34</sup>

The vocational division included a four year program. The first year dedicated all but one hour of the day to the industrial studies. The second through fourth years were much the same. This final division was designed to prepare Indians for a specific vocational skill. Sells believed that this new program would train Indians for a specific job and make them productive citizens.<sup>35</sup>

The result of this new industrial plan was government-sponsored factories in Shiprock, New Mexico and Defiance, Arizona where Navajos only had to pay between \$1,000 and \$2,000 to have each facility built on their reservation. This guaranteed jobs and investment in an area that sorely lacked both. On the Moqui Reservation, an area previously hostile toward education, the Hopi schools experienced more enthusiastic attendance because of the new industrial program.<sup>36</sup>

While most of the vocational and industrial training focused on young boys, girls were instructed how to become housekeepers. Sells believed that if Indian girls became good housekeepers for their farmer-husbands, the home life

would be more stable. Model cottages were built at many schools to train girls in cooking, cleaning, personal hygiene and other domestic activities.<sup>37</sup> Similarly, some of the Santee Sioux girls in Nebraska began their cooking instructions in the third and fourth grades. They also studied nutrition for feeding the sick. Lois C. Leech wrote to the Word Carrier complaining about how these hardworking girls did not get proper credit for their efforts of producing more than 100 loaves of bread per day.<sup>38</sup>

Probably the most profound accomplishment for boys involved in industrial training came at Pennsylvania's Carlisle Indian School. This school sent John Gillman, a Chippewa from Minnesota, to Detroit, Michigan to work as an intern for the Ford Motor Company. Here he was introduced to the automobile manufacturing business, and within a few months he set the factory record for car assembly by shaving ten minutes off the old production time of three hours. The Ford Motor Company credited his general education and vocational training at Carlisle for his success at the factory. Gillman's accomplishment opened opportunities for many other Native American interns to go into Ford and other factories to get practical training for their vocations. Ford officials noted that these Indian students performed their jobs as well as any white student. This new involvement in the car industry likewise opened employment opportunities after graduation.<sup>39</sup>



During Sells' administration, Indians attained better access to basic education and manual training for industrial jobs, but some emphasis was also shifting to the feasibility of higher education. The goal of educating Indians was to have as many graduates as possible return to their homes and help bring along "civilization." The returned students were supposed to symbolize the best of white society so that the rest of the tribe would follow their example. However, the issue of returned students became more of an irritant than a help during Sells' term. The Word Carrier asked the key question about the success or failure of Indian education. Indians went to distant schools and learned the ways of white society, but then returned to their reservations to try to help improve them. If a returned student failed to do this, according to the periodical, Indian education was termed a failure. Yet, for white education, this standard did not apply.<sup>40</sup>

The Board of Indian Commissioners alleged that there were few failures among returned students, a point which contradicted many other reports. The Board noted that white prejudice and lack of job opportunities on reservations were the primary reasons for failure. Furthermore, many of the traditional Indians did not accept the educated Indians back into the community. Most of the jobs on reservation were of an agricultural nature which seemed to exclude those who had an academic or vocational training.<sup>41</sup>

The main problem came from the more traditional members of the reservations who were hostile toward white education and the alien values which it proscribed. So the graduates reentered a foreign and often hostile environment when they returned to the reservations and tried to bring about changes. The leaders of the reservation and graduates alike did not know what role the latter were to play. This hostility and jealousy left the returnees as outsiders to their own people, at the very time that overt racism and cultural misunderstanding limited their opportunities in broader, mainstream society.<sup>42</sup>

Other reformist periodicals documented cases of returned students who failed to perform as expected. They were called lazy and backwards. The Board therefore called on the government to regulate more closely the activities of the returned students. Yet, other Indian graduates returned to reservations and assumed successful vocations. The Word Carrier noted the activities of many Santee graduates. Among the most numerous occupations were missionaries, housekeepers, interpreters, merchants and pastors. Furthermore, many graduates sought some form of higher education.<sup>43</sup>

Robert D. Hall, of the Society of American Indians, outlined a plan to make the returned students more disciplined and effective in their communities. He emphasized cooperation between schools, tribes and

government. He also called for the most promising Indian students to attend so they could serve their people by reducing the friction between tribal factions and between the tribe and the government.<sup>44</sup>

Indians and reformers alike recognized that many Indians performed well not only in industrial training, but also in academic fields. They questioned the availability of higher education possibilities for successful students. Joseph M. Brunnett, a Menominee student, noted that Indians needed to be educated equally in order to stand alone and escape the dependency cycle. He believed that rather than returning to the problems of the reservation, the best students should go to college and find jobs in mainstream society. He called on colleges to open their doors to Native Americans so that they could prove their worth.<sup>45</sup>

Another question arose about whether or not Indians were capable of performing well in higher education. Bertram Bluesky admitted that not all Indians were capable of college work, but neither were all whites. He felt that the brightest Indians should seek a college education in order to compete, and their successful example would encourage others to follow.<sup>46</sup> Fred Bender, a Chippewa, emphasized four areas of higher education that would benefit Indians. First, higher education would emphasize the study of classic works of literature which would develop problem-solving skills. Second, this type of education would give Indians a broader

view of life. Third, education would give Indians an "equal footing" for competition with whites. And last, higher education would give Indians a deeper understanding of religion.<sup>47</sup>

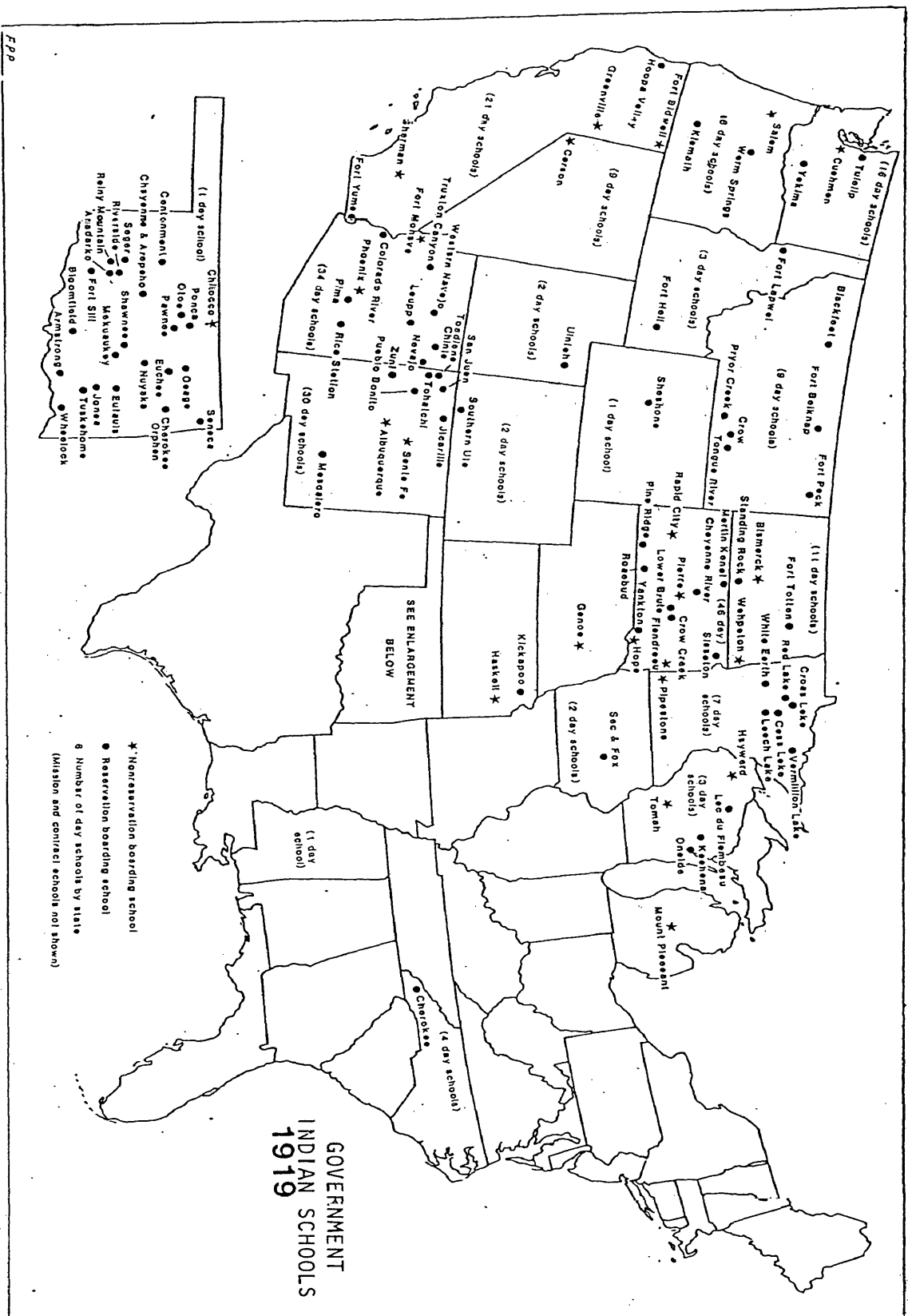
The Progressive Era witnessed an increase in the number of Native Americans who were entering colleges around the nation, and, in 1914, the Word Carrier noted that thirty Indians were enrolled at the University of Oklahoma alone. These students formed an organization called the "Indian Students' Club" which celebrated Native American culture while also serving as a recruiting tool to attract additional Native Americans. Because the students came from numerous tribes such as the Choctaws, Chickasaws, Cherokees, Delawares and Shawnees, they were able to recruit students from a multitude of reservations.<sup>48</sup> Edward R. Rogers, a Chippewa, became famous among Indians and whites across the nation for his educational achievements. He graduated from Carlisle School and enrolled at the University of Minnesota where he became a football star. After college, he pursued a law degree and began to practice law in Walden, Minnesota where he took on the duties of the chief of the Chippewa Tribe in Minnesota.<sup>49</sup>

Education became one of the top priorities for Sells. He acknowledged that Indians needed to be educated and, yet, he believed that purely academic training would not benefit Native Americans in the long run. The commissioner and other

reformers agreed that Indians had little use for a purely classical education when they returned to a rural reservation in the western United States where the dominant occupation was agriculture. Sells tried to correct this problem with his new industrial and vocational program for education. He felt that practical training would make educated Indians more productive in society because they had a marketable skill. In this new program, though, Sells did retain a certain amount of academic and moral training to ensure the shaping of well-rounded and moral citizens. Sells' plan was to make Native Americans a part of white society quickly and to detribalize them as well. He felt that the ultimate goal of Indian education was to Americanize Indians and gradually phase the Bureau of Indian Affairs out of the education business.<sup>50</sup>

Frank Speck offered a different point of view that did not fit the "progressive spirit" of his era. He proposed that Indian life should be treated as a unique cultural entity that should be preserved and partially emulated by white culture instead of destroyed. Unfortunately, Speck's voice was not heard by the overwhelming majority of reformers who continued pushing Native Americans to become a part of mainstream society. The integrationist philosophy transcended the issue of education and carried over to the hotly debated topic of health care during the same era.

Source: Francis Paul Prucha, Atlas of American Indian Affairs (Lincoln: University of Nebraska Press, 1990), p. 63.



# INDIAN SCHOOL ENROLLMENT 1912-1922

## BIA SCHOOLS

| <u>YEAR</u> | <u>BOARDING</u> |                | <u>DAY</u>    |                |
|-------------|-----------------|----------------|---------------|----------------|
|             | <u>NUMBER</u>   | <u>PERCENT</u> | <u>NUMBER</u> | <u>PERCENT</u> |
| 1912        | 17,924          | 39             | 6,417         | 14             |
| 1917        | 22,200          | 35             | 6,558         | 10             |
| 1922        | 18,674          | 29             | 5,548         | 9              |

| <u>YEAR</u> | <u>PUBLIC SCHOOLS</u> |                | <u>OTHER SCHOOLS</u> |                |
|-------------|-----------------------|----------------|----------------------|----------------|
|             | <u>NUMBER</u>         | <u>PERCENT</u> | <u>NUMBER</u>        | <u>PERCENT</u> |
| 1912        | 17,011                | 37             | 4,779                | 10             |
| 1917        | 29,173                | 46             | 5,837                | 9              |
| 1922        | 34,301                | 53             | 6,420                | 10             |

Source: Paul Stuart, Nations within a Nation: Historical Statistics of American Indians (New York: Greenwood Press, 1987), p. 167.

## ENDNOTES

<sup>1</sup>Richard H. Pratt, "Education of Indians," Quarterly Journal of the Society of American Indians 3 (April-June 1915): 112. This journal changed its name in January, 1916 to the American Indian Magazine.

<sup>2</sup>Francis Paul Prucha, The Great Father, v. 2, (Lincoln: University of Nebraska Press, 1984), 687-715.

<sup>3</sup>Margaret Connell Szasz, Education and the American Indian: The Road to Self-Determination Since 1928, (Albuquerque: University of New Mexico Press, 1974), 9-10.

<sup>4</sup>Ibid., p. 10-12.

<sup>5</sup>Prucha, Great Father, v. 2, 707.

<sup>6</sup>Ibid., p. 814-23.

<sup>7</sup>Frederick Eugene Hoxie, "Beyond Savagery: The Campaign to Assimilate the American Indian 1880-1920," (PhD dissertation, Brandeis University, 1977), 540-01.

<sup>8</sup>Commissioner of Indian Affairs Annual Report to the Secretary of the Interior, 1913, p. 22-26. These reports are housed individually on microfiche and are included in the annual reports of the Secretary of the Interior. These reports hereafter will be referred to as ARCIA.

<sup>9</sup>ARCIA, 1913, p. 24-26. ARCIA, 1917, p. 9-16.

<sup>10</sup>ARCIA, 1914, p. 7-12.

<sup>11</sup>Board of Indian Commissioners Annual Report to the Secretary of the Interior, 1916, p. 341-42, 1920, p. 9-10. The Board of Indian Commissioners was a group outside of the government designed to be a watchdog organization over Indian Affairs. Their reports hereafter will be referred to as BICAR.

<sup>12</sup>"Secretary Lane Talks About His Indian Policies," Indian School Journal 14 (September 1913): 12.

<sup>13</sup>F.B. Riggs, "Government Indian Schools as Agencies of Pauperism," Word Carrier 44 (May-June 1915): 1.

<sup>14</sup>"The Sioux and Their Schools," American Indian Magazine 5 (October-December 1917): 215-16.



<sup>15</sup>H.B. Peairs, "Some Current Problems in Indian Affairs," delivered at Lake Mohonk Annual Conference, 1913, p. 13. This was an influential annual meeting of most of the diverse reform groups. These reports hereafter will be referred to as LMAC.

<sup>16</sup>Frank G. Speck, "Educating the White Man Up To The Indian," Quarterly Journal of the Society of American Indians 2 (January-March 1914): 64.

<sup>17</sup>ARCIA, 1914, p. 7-12. ARCIA, 1916, p. 9-25.

<sup>18</sup>Correspondence from Matthew K. Sniffen to Cato Sells, in Indian Rights Association Papers, Reel 30, July 21, 1915, p. 1-2. The papers of the Indian Rights Association hereafter will be referred to as IRAP.

<sup>19</sup>R.D. Hall, "Dancing in Indian Schools," Indian's Friend 29 (May 1917): 6-7.

<sup>20</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 29, December 15, 1914, p. 1-8.

<sup>21</sup>Milton Fairchild, "Moral Instruction in the Indian Schools," Indian School Journal 13 (November 1913): 87-90.

<sup>22</sup>"Impugn Carlisle Morals," New York Times, May 15, 1913, p. 1. Correspondence from Matthew K. Sniffen to Cato Sells, in IRAP, Reel 28, November 24, 1913, p. 1-3.

<sup>23</sup>Emma Tooker, "The Most Effective Way of Teaching Manners and Right Conduct," Indian School Journal 16 (September 1915): 18-19. Elvira Pike, "The Right Spirit for the Indian Student and How To Get It," Quarterly Journal of the Society of American Indians 1 (October-December 1913): 401.

<sup>24</sup>ARCIA, 1920, p. 13-15.

<sup>25</sup>James Smith, "Education and Progress for the Indian," Quarterly Journal of the Society of the American Indians 1 (July-September 1913): 292. Charles W. McGilberry, "Why the Indian Student Should Receive As Good an Education as any Other Student in America," Quarterly Journal of the Society of American Indians 1 (July-September 1913): 287.

<sup>26</sup>Emma Johnson Goulette, "Common School Education for the Indian Child," Quarterly Journal of the Society of American Indians 1 (July-September 1913): 300.

<sup>27</sup>Lucy Ruillard, "School and Home," Word Carrier 43 (May-June 1914): 12.

<sup>28</sup>Arthur C. Parker, "Industrial and Vocational Education in Indian Schools," Quarterly Journal of the Society of American Indians 3 (April-June 1915): 86-97.

<sup>29</sup>Henry Roe Cloud, "Education of the American Indian," Quarterly Journal of the Society of American Indians 2 (July-September 1914): 203.

<sup>30</sup>H.B. Peairs, "The Indian School System Today," American Indian Magazine 4 (July-September 1916): 238-44.

<sup>31</sup>James Buchanan, "How May Pupils Be Guided In Choosing Their Lives Work?," Indian School Journal 13 (September 1913): 12-16.

<sup>32</sup>ARCIA, 1915, p. 6.

<sup>33</sup>ARCIA, 1916, p. 11-13.

<sup>34</sup>Ibid., p. 13-18.

<sup>35</sup>Ibid, p. 18-21.

<sup>36</sup>"Indian Industries League," Indian's Friend 29 (September 1916): 4. ARCIA, 1914, p. 9-12.

<sup>37</sup>ARCIA, 1915, p. 3-6.

<sup>38</sup>Lois C. Leech, "Santee Girls Learn How To Cook," Word Carrier 43 (September-October 1914): 19.

<sup>39</sup>"Indian Youth Set Records In Factory," Indian's Friend 28 (March 1916): 5. ARCIA, 1915, p. 3-6.

<sup>40</sup>"Is Indian Education A Failure?," Word Carrier 44 (January-February 1915): 3.

<sup>41</sup>BICAR, 1917, p. 334.

<sup>42</sup>Prucha, Great Father, v.2, p. 817-18.

<sup>43</sup>"Returned Students," Indian's Friend 26 (January 1914): 7. "What Are Graduates Doing?," Word Carrier 43 (March-April 1914): 1. BICAR, 1913, p. 336-37.

<sup>44</sup>Robert D. Hall, "The Challenge of the Society of American Indians to the Returned Student," American Indian Magazine 4 (October-December 1916): 305-07.

<sup>45</sup>Joseph M. Brunnett, "Higher Education For The Indian," Quarterly Journal of the Society of American Indians 1 (July-September 1913): 285.

<sup>46</sup>Paul Sleepingbear, "Should the Indian Have a Higher Education?," Quarterly Journal of the Society of American Indians 1 (July-September 1913): 289.

<sup>47</sup>Fred Bender, "Higher Academic Training For Indians," American Indian Magazine 5 (Summer 1917): 103-09.

<sup>48</sup>"University Indians," Word Carrier 43 (July-August 1914): 16.

<sup>49</sup>"Carlisle School Indian a Chief Now," New York Times, May 19, 1913, p. 8.

<sup>50</sup>Cato Sells, "Indian Bureau and Its Schools," Saturday Evening Post 193 (April 9, 1921), p. 40-45.

## CHAPTER FOUR: HEALTH CARE AND THE INTOXICANTS DEBATE

Indian health care became closely associated with Indian education during the first two decades of the twentieth century. As school enrollments climbed, the frequency of regular health examinations for children also increased. However, the closer contact between pupils helped breed communicable diseases. In the late nineteenth century, tuberculosis especially ravaged the Indian population, and the general response from the Indian Bureau was an admission that little could be done with the dreaded disease. Not until Commissioner of Indian Affairs Francis Leupp's administration of 1905-1909, did the treatment of tuberculosis become an Indian Bureau priority. Leupp estimated, from limited medical examinations, that about 40,000 out of more than 300,000 Indians in the United States were stricken with tuberculosis. Although Leupp channeled efforts in the right direction, they proved to be insufficient for a problem of this magnitude.<sup>1</sup>

Commissioner of Indian Affairs Cato Sells continued the attack on disease begun by his predecessors, but the overall health condition improved little. Sells urged Congress to increase appropriations for Indian health care from \$200,000 in 1914, to \$350,000 in 1917. He believed that healthy Indians could provide for themselves, and without proper health care they would continue their

dependence on the government. He felt that the Indian Bureau and the Indian Medical Service were making great strides toward eradicating some of the more serious diseases among Indians, but World War I interrupted this progress by taking numerous employees to serve in the war and leaving the Indian Bureau short of employees.<sup>2</sup>

Eradicating disease was not the only concern that the commissioner had for Indian health. Intoxicants, mainly alcohol and peyote, attracted the attention of Sells, reformers and Congress. With the rising fervor for national prohibition, intoxicants became an easy target for many "progressive" reformers. Alcohol and peyote were considered by many to be a health danger, as well as a moral concern. Prohibitionists claimed that the use of these drugs would lead to a wide variety of mental and physical ailments. Likewise, the commissioner tried to address other health concerns that faced Indians in the early twentieth century, including the structure of the Indian medical service and the massive epidemic of trachoma.

The Indian Bureau organized a health care force that included regular physicians, contract physicians, nurses and field matrons. The regular physicians were doctors who were employed full-time by the Indian Bureau. The contract physicians were doctors who lived near reservations and were hired on a short term basis to provide health care as

the need arose. The nurses and field matrons were usually women who attended to the less serious health concerns and instructed Indian women in hygienic and domestic skills to provide a suitable environment for their families. Of all of these positions, probably the most significant was the field matron because she visited all of the reservation homes on a regular basis.

Elsie E. Newton, Supervisor of Field Matrons, encouraged the matrons to systemize their visitation schedules to ensure that all Indian homes were covered. Sanitation became one of the key concerns for this group of health care providers as they encouraged preventive medicine. They believed that if Indians maintained clean homes, disease would be reduced substantially. One formidable foe opposing the work of the field matron, according to Newton, was the Indian "medicine man." She claimed that once the field matron would leave an Indian home, the medicine man would reverse all of her work. Newton asserted that it was the duty of matrons to be humble and persistent to help bring these dependent people into mainstream society.<sup>3</sup>

The Indian School Journal published reports of field matrons from all over the country beginning in 1913 and continuing on a monthly basis until 1916. These reports provided Indians with a useful source of information about health care, as well as a convenient platform for the

exchange of ideas between matrons. Sanitation and personal hygiene dominated each month's publication. Eva L. Carey, a field matron on the Lower Brule Reservation of South Dakota, told of her success with clean bedding and clothes as a deterrent to tuberculosis.<sup>4</sup> Other matrons encouraged Indian women to keep their ovens clean in order to cook food properly, and to maintain cookbooks as records of how to prepare nutritious food. The United States Public Health Service built model houses in many areas to teach women how to keep a good house and how to prevent disease from invading their homes.<sup>5</sup> Sells recognized poor sanitation as a major obstacle to a healthy Indian population. In 1914, consistent with the advice of field matrons, he advocated better lighting, ventilation, and sanitary conditions to help improve health. He also initiated lectures in schools to promote personal cleanliness. In addition, Sells closely monitored schools to prevent the outbreak of epidemics.<sup>6</sup>

Joseph A. Murphy, Medical Supervisor of the United States Indian Medical Service, drew a direct connection between the poor sanitary conditions in Indian homes and the contraction of trachoma and tuberculosis. He claimed that improper disposal of refuse contributed to tuberculosis, while tainted water supplies provided the primary cause of trachoma. He also believed that among less "civilized" tribes, the higher the incidence of

disease. Similarly, nurse Estaiene M. DePectquestangue wrote in the Quarterly Journal of the Society of American Indians, that trachoma and tuberculosis had reached epidemic proportions on many reservations, pushing the death rate to double that of most white populations. In the end, DePectquestangue urged Sells to build more hospitals and shift resources to Indian health care issues.<sup>7</sup>

In 1919, the Board of Indian Commissioners recommended changes in the organization of the medical service. In the past, epidemics had spread across Indian reservations without eliciting much response from outside communities. The Board wanted statistics on all epidemics made public, and death rates among Native Americans placed in the permanent records of the Surgeon General of the United States. These reform ideas came as a response to the loss of many vital health employees during the war who previously had maintained these types of records. The Board tried to make medical services more efficient by suggesting these guidelines and by removing the Indian Medical Service from the supervision of the Bureau of Indian Affairs and placing it under the authority of the United States Public Health Service.<sup>8</sup>

Sells recognized the urgent need for more hospitals for Native Americans. In 1914, he noted that there were fifty-one hospitals that served 1,432 patients, and six



more under construction. Even without proper medical facilities, Sells noted that over 67,000 Indians had been examined out of a general population of 200,000, which excluded the populous Five Civilized Tribes. More than 8,000 cases of tuberculosis and almost 14,000 cases of trachoma were reported among those examined. Sells estimated that among these 200,000 Native Americans, there were at least 22,000 cases of tuberculosis and about 35,000 cases of trachoma. This alarming disease rate prompted the commissioner to petition Congress for more money to build hospitals.<sup>9</sup> Disease became so rampant for Indian populations in the Midwest that a sanitarium was opened in Toledo, Iowa to serve that region, and most of its patients were treated for trachoma. Sells' efforts toward increased funding paid off because, by 1916, there were seventy-four hospitals in operation that could treat over 2,000 patients. Unfortunately these institutions merely treated the consequences rather than the causes of the diseases.<sup>10</sup>

The periodical Indian's Friend published a series of reports for several years beginning in 1913 which depicted events at the hospital on the Navajo Reservation in New Mexico and Arizona. The hospital was built in late 1912 and opened by the new year. It was known among the reservation dwellers as "Kin-bi-jo-ba-i," which meant "the house in which they are kind." The English name for the hospital was the Good Samaritan Hospital. Initially, the

hospital only served two patients because of the difficulty that officials had in competing with the influence of the "medicine men." In the spring of 1913, more opposition surfaced from medicine men because they felt their role in the tribe was being challenged by white interlopers. The magazine also noted that even though the hospital structure was completely finished, the staff still lacked adequate equipment.<sup>11</sup>

In 1914, hospital authorities contended that the interference of a medicine man had caused a child to die. The boy had been brought to the hospital for treatment, but almost no visible improvement had occurred. The father of the child had been told by a medicine man that his son was cursed because just before the boy had been born, a sister had died of a snake bite. The medicine man convinced the father that the only possible cure was for him to chant over the child. Having seen no improvement in the white hospital, the father took the child to the medicine man for this ritual which allegedly resulted in the death of the child and the frustration of hospital officials. According to tribal tradition, when a death occurred, the remaining children had to sleep outside of the hogan, and this, in turn caused even more illness. Hospital officials thus clashed head on with Navajo views of holistic medicine that distrusts modern germ theories of disease.<sup>12</sup>

Despite these early problems, the cases served by the hospital dramatically increased as the summer of 1913 approached. Sixty-six patients were housed in the facility, and employees gave out 1,538 treatments in the field for a wide range of ailments. Unfortunately, this dramatic increase depleted the already inadequate hospital supplies and funds. In the November issue of Indian's Friend, the hospital asked for at least \$1,500 from readers to keep the facility open. At the end of the first two years, the hospital had served over 100 patients and had issued more than 3,800 treatments, mostly for tuberculosis and trachoma. In this same space of time, a full-time doctor had arrived and travelled to nearly every home on the reservation. However, hard winters slowed the doctor's visits and somewhat diminished his home treatment programs. Ironically, as the hospital expanded its case load, its economic viability became more suspect, and every issue of the periodical for these two years asked readers for money to keep the hospital doors open. Despite added congressional appropriations, private donations were needed because building costs and the demands on health care had exceeded expectations.<sup>13</sup>

Without a doubt, tuberculosis and trachoma were the most common and devastating Indian ailments. In 1916, Dr. Charles A. Eastman, a Santee Sioux, estimated that at least 70,000 Indians had trachoma and about 30,000 had

tuberculosis. He claimed that the sedentary life imposed upon Native Americans caused most of the health problems. Their ancestors had once lived a nomadic life and many of their customs were still consistent with that lifestyle. After they became more settled, their diet radically changed for the worse and their customs did not fit the new situation of reservation life.<sup>14</sup>

The Board of Indian Commissioners noted in 1920 the desperate situation among Oklahoma Indians in their battle with tuberculosis. The Board agreed with Superintendent Gabe E. Parker of Oklahoma that more aid was needed immediately in this area. However, little action was taken on health issues because the primary concern of government officials was the Oklahoma Indians' gas, oil, and land rights. The state of Oklahoma eventually took steps to help, but the federal government and Sells moved very slowly.<sup>15</sup>

The tuberculosis problem was not centered in one part of the country. Lily A. Shields, a nurse from California, rode in a carriage all over rural parts of the state to help tuberculosis sufferers. She worked for the Red Cross and petitioned Secretary of the Interior Franklin K. Lane to provide more money for her trips into the remote areas. Lane quickly provided the extra money required for these humanitarian efforts. The Indian's Friend, however, cynically pointed out that Shields' greatest concern was

the protection of white people because she knew that in the summer months Indians would leave their homes to pick fruit which would put them into direct contact with whites.<sup>16</sup>

On the other side of the country in New York, tuberculosis ravaged Indian populations to at least the same degree as in Oklahoma and California. A report in the January 24, 1913 New York Times illuminated poor health conditions in the state labor camps. The laborers who built canals and state highways had one of the worst health ratings. Dr. A.C. Hill and Dr. J.M. Strong of the State Charities Aid Association noted that one-third of Indian laborers had tuberculosis which quickly spread due to excessive heat and unsanitary spitting habits. Indian medicine men were present in the camps, but the doctors were convinced that these men provided little material help. Hill and Strong urged the State Board of Health to intervene and bring the problem under control by providing more doctors for the camps.<sup>17</sup> Likewise, they affirmed that tuberculosis spread easily, especially where close contact between people occurred. Crowded homes and schools that had poor ventilation and were unsanitary provided prime breeding-places for this disease. As a result, much of the Indian population was afflicted with this ailment and the death rate was about twice that of the white population. Although, trachoma was more common than tuberculosis, blindness, rather than death, was the usual result.

Trachoma, also known as "sore eyes," attacked a person's vision gradually, and Sells recognized it to be a personal tragedy as well as a major obstacle to Indian self-sufficiency. On the average, about 20% of school children were afflicted with the disease, but as the age increased, so did the frequency of the disease. Sells attacked the problem in the schools where he had a captive audience. He sent medical people to educational institutions to examine children and give treatments.<sup>18</sup> Yet, among the older generations, who were generally hostile to white medicine, the trachoma rate ranged from 60% to 85%, depending on the area of the country. This disease was particularly common among the Five Civilized Tribes in Oklahoma.<sup>19</sup>

John W. Duke, Commissioner of the Oklahoma State Board of Health, noted that about one-half of the victims of this disease became blind. With such an impairment, the Indian's "economic usefulness decreased" by about 50%. Duke believed that a few precautions could help prevent the spread of this disease. He advocated fresh air, sunshine, and exercise for all patients. Also, Duke suggested that individuals keep their bodies as clean as possible and not sleep with an infected person. Duke asserted that these precautions and frequent visits to the doctor at the first sign of sore eyes would reduce the number of blindness cases. He also believed that the disease originated in the

Middle East and Slavic areas of Europe and had been brought to the United States by immigrants. Appropriately, he urged close monitoring of Indian servicemen in Europe to ensure that they did not become infected and bring the disease back with them.<sup>20</sup>

Although, Sells contended that his administration had brought trachoma under control by 1920 among school children, he admitted that the disease continued to ravage the older generations who often refused medical attention. The simple truth was that tuberculosis and trachoma had plagued Indians for many years before Sells arrived in the Indian Office, and they would persist at epidemic rates for many years beyond his tenure.

During Sells' term as commissioner, an outbreak of influenza also struck Indian and white populations nationwide. Duke noted that at least one-third of the Indian population in Oklahoma was afflicted with influenza in 1916 and it was a highly contagious strain. This incident of influenza in Oklahoma occurred about two years before the national epidemic. Sells noted in his 1919 annual report that the Public Health Service had turned virtually all of its attention to this national emergency. Ironically, the Chilocco Indian School in Oklahoma was spared and did not encounter one case of influenza in 1918. However, the Navajos in New Mexico and Arizona were not as lucky, and were among hardest hit by this scourge.<sup>21</sup>

The Indian's Friend noted that the medical superintendent, Mrs. Johnston, and her daughters had some success fighting the disease among the Navajos. Unfortunately, Mrs. Johnston and her daughters caught the disease and were bed-ridden for an extended period of time. During that time, she petitioned Sells to send help, but none came, thus leaving many sick Navajos unattended. Johnston and her daughters recovered and returned to their work, and, according to this periodical, instilled a faith in modern medicine and the Christian spirit in the Navajos, despite the inaction of the Indian Bureau.<sup>22</sup>

Although Sells was slow to react to the plight of the Navajos, he did take steps to prevent diseases before they became widespread. He started a "Save the Baby" campaign to help reduce the high rate of infant mortality which claimed the lives of three-fifths of Indian children under the age of five. The commissioner made this a top priority by calling on Bureau employees to instruct Native Americans on how to clean and cook properly for babies.<sup>23</sup> Mrs. O.H. Lipps, wife of the editor of the Indian School Journal, urged Sells to help babies before they were born by instructing pregnant women on how to care for them. She urged Indian mothers to nurse their children for at least three months and to avoid bottle feeding if possible.<sup>24</sup> Sells recognized this problem and he organized meetings on reservations to instruct women on how to care for babies



and why they should go to hospitals to give birth. More significantly, he believed that Indian health care should be rated as a higher priority than either education or the allotment of land.<sup>25</sup>

As another measure of preventive medicine, the commissioner endorsed a program of proper dental care to keep diseases from being transmitted. Joseph A. Murphy, Medical Supervisor of the United States Indian Medical Service, claimed that dirty teeth and mouths carried germs throughout the rest of the body. Furthermore, this was the main avenue for tuberculosis to move through the body, according to Murphy. He asserted that chewing food thoroughly would keep it out of the teeth and help prevent decay. Also frequent brushing of teeth and tongue would kill about 90% of the germs in the mouth. He urged more dental care for Indians to help reduce tooth decay and the spread of disease, but Sells continued dental programs that were already in place and made no significant changes.<sup>26</sup>

One of Sells' pet programs was the "Swat the Fly" campaign, which encouraged Native Americans to kill flies and to keep their reservations free of areas that might breed them. According to H.U. Goltry of Oklahoma A&M College, flies transmitted tuberculosis and trachoma. In a warm summer season as many as fourteen generations of flies could be born and die. In just four generations, Goltry believed, over thirty-three billion flies would be born

nationwide. These flies carried filth that was infected with diseases. Goltry and Sells encouraged Indians to keep their garbage areas tidy and to remove any stagnant pools of water to prevent the breeding of flies. As a further precaution, the commissioner suggested using traps and fly paper.<sup>27</sup>

Above all things, Sells was concerned with the death rate among Native Americans. Most estimates placed the Indian death rate at thirty deaths for every 1,000 people, or about double the white death rate. Milton Friedman, Superintendent of the Carlisle Indian School, charged that the death rate was too high and the Bureau should take steps to improve it. He claimed that from his experience at least 30% of Indian deaths were traceable to tuberculosis. Sells and F.W. Broughton, of the Statistics Division of the Bureau of Indian Affairs, refuted the idea that the Indian death rate was higher than the birth rate. Broughton pointed out that in 1890 there were 243,000 Indians, in 1900 there were 270,000, and in 1910 there were more than 300,000 Native Americans. Sells and Broughton claimed that Indians were not a dying race, but were actually increasing their numbers.<sup>28</sup>

Sells vowed at the 1915 Lake Mohonk Conference to rid the Indian community of alcohol, and pledged that he would not touch a drop of liquor as commissioner so as to set a proper example for Native Americans and Bureau employees.

The commissioner petitioned Congress to increase appropriations for the policing of the liquor traffic among Indians from \$100,000 to \$150,000 a year. He claimed that alcohol was a demoralizing force in Indians' lives that rendered the user incapable of becoming a productive part of mainstream society. But as early as 1913, Sells had noted that there were 1,000 arrests for illegal liquor possession on reservations, resulting in about a 50% conviction rate. Alluding to these statistics, he felt that progress was being made.<sup>29</sup>

By the end of Sells' first term in office, over 5,500 people had been arrested for transporting or selling liquor to Indians, and over a half million pints of alcohol had been seized. Congress had paternalistically determined several years before that Indians were a dependent people who needed federal protection from alcohol. Over time, many allotted Native Americans became citizens, but Congress still restricted their use of alcohol as long as they lived on reservations. In Oklahoma, where illegal sales was common, bootleggers would load large trucks full of liquor, quickly drive into reservations to make the sale, and just as quickly disappear. The State of Oklahoma decided to seize all vehicles involved in this type of activity to help slow down the flow of liquor, but the profits of such an illicit enterprise were so great that the flow could not be entirely stopped.<sup>30</sup>

During Sells' administration, many reports of demoralized and physically injured Indians flooded periodicals and the Indian Bureau as a result of alcohol abuse. A.F. MacColl, a former Bureau employee, noted a severe case of alcohol abuse in 1914. He claimed that a full-blood Ute committed suicide after drinking large quantities of whiskey. MacColl had heard reports of liquor traffic on the Uintah Reservation, and declared that these criminals "ought to be hanged."<sup>31</sup> Other cases were not as severe, but still received attention from Matthew K. Sniffen of the Indian Rights Association. He claimed that Henry Bear, formerly of Winnebago, Nebraska, received the money for his allotment of land and moved to Philadelphia where he had wasted most of his money on alcohol. Sniffen pleaded with Sells to find some way to restrict Bear's ability to obtain alcohol. The commissioner found that because Bear was a citizen, self-supporting, and living outside of a reservation, the Indian Bureau had no jurisdiction over him and could not interfere.<sup>32</sup>

The Indian Rights Association uncovered many cases of moral depravity allegedly caused by alcohol abuse. In 1920, Samuel Brosius, a field agent for the Indian Rights Association, told of two young Indian women from Standing Rock Reservation in North Dakota who travelled to a fair in South Dakota where they met a group of young Indian men and became intoxicated. The men took the women into the

countryside where, Brosius claimed, the women were "grossly outraged" by the young men. Once the women returned to their reservation, they were arrested for intoxication. The father of one of the women called on local officials to find the men who had assaulted his daughter and bring them to justice. He claimed that he had obeyed the government for over thirty years and it was time the government returned the favor. However, the next day the father inexplicably denied that the entire incident had ever happened, and swore that his daughter and the other young woman were good and virtuous women who never had consumed alcohol. Once this story reached Sells' office, the commissioner believed the father and nothing more ever came of it.<sup>33</sup> True to his usual form, Sells tried to keep conflict to a minimum in his administration and he certainly never went looking for additional problems if he could avoid them.

Many periodicals pointed out that not only were government officials and reformers outraged about alcohol abuse, but so were Native Americans. An Indian named Two Leggens wrote to Sells to ask him to shut down the saloons in his area. He believed that these places hurt the moral and physical health of Indians. Two Leggens claimed that many Bureau employees drank alcohol excessively which resulted in immoral behavior. He desperately pleaded with Sells by asking him whether there were "no sober men in the

United States that you can send to show us how to live."<sup>34</sup> Likewise, over 700 Sioux protested in Mitchell, South Dakota against liquor traffic. This conference to denounce "fire water" attracted Indians from North and South Dakota and Nebraska.<sup>35</sup>

Alcohol at schools became a controversial issue as well. In an article in Indian's Friend, the anonymous author used Lizzie Allen, a student at Carlisle, as an example of how students ought to feel about liquor. Allen claimed that hospitals housed many drunks of low moral character and deadened senses. She likewise contended that the money wasted on alcohol could be used for food and education, and she believed that most of the younger generation favored prohibition.<sup>36</sup> However, Supervisor O.H. Lipps and Dr. W.A. Hutchinson, of the Cumberland County No-License League, disagreed by using Carlisle as an example of a school with a severe alcohol problem. Carlisle had a good academic program, but the liquor flowed so freely that Lipps and Hutchinson called on the people of the town and school to put an end to the problem. They also claimed that this did not happen at the Haskell Institute in Kansas because the state had outlawed alcohol in 1915.<sup>37</sup>

Congress restricted the sale of alcohol to Indians in January of 1910, but little enforcement of the law followed. The Eighteenth Amendment to the Constitution of the United States was adopted in 1919, and it prohibited

"the transportation or importation into any state, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof."<sup>38</sup> This amendment placed a blanket restriction on whites and Indians alike. Yet, many states had taken earlier steps to make their states dry before national prohibition, which helped bring about this national amendment.

By 1917, Arizona had become a dry state which, Indian's Friend happily noted, left more money for food and family necessities, as well as a reduction in crime and expense for maintaining prisons. The city of Phoenix reduced its police force from twenty-three to seventeen officers and saved \$20,000 in the first six months of prohibition. In all of Arizona's major cities, crime was reduced by about one half in just the first year of prohibition.<sup>39</sup> Sells pointed out that from 1913 to 1919, liquor traffic had been significantly reduced, partly because of his efforts, but mainly because states like Arizona went dry before the national legislation took effect. By 1916, the commissioner felt satisfied enough with the statistical progress to reduce the annual appropriations needed to curb liquor traffic from \$150,000 to \$100,000, and in 1921 to \$65,000.<sup>40</sup>

Sells encouraged education about the evils of alcohol use, and he hailed state prohibition movements as a sign

that all people, not just Indians, recognized alcohol as a plague that needed to be stopped. By 1916, Nebraska, Oregon, Washington and Idaho had gone dry, and Oklahoma had claimed a major victory over the liquor traffic. W.J. Creekmore was arrested, convicted, sentenced to three years in prison, and fined \$2,200 for selling more than \$1,000,000 worth of liquor in Oklahoma alone. He was known as the "king of liquor" and, in many ways, he controlled the state. Sells took these examples as signs of progress toward a healthier Indian population that could be quickly moved into mainstream society.<sup>41</sup>

Yet, there were opponents of these restrictions, such as Mrs. Dorcas J. Spencer of California who disagreed with Sells' whole philosophy of prohibiting alcohol for Indians. She believed that singling out Indians to prevent alcohol abuse violated their rights, especially those who were already citizens. She supported the national prohibition movement, but found that singling out one group or another was fundamentally wrong. Instead, she declared that the Eighteenth Amendment was the first fair piece of national legislation that treated Native Americans as equals to all other people.<sup>42</sup>

Alcohol, though, was not the only intoxicant that concerned Sells, diverse reformers, and members of Congress. All of them found the restrictions on peyote to be much more difficult to enforce than those laws against



alcohol. General Richard H. Pratt, founder of Carlisle Indian School, advocated a Russian-like czar to force people to quit peyote use. But the issue was blurred by the religious context of peyote use and the contention of many that it was not addictive. Peyote was a part of the mescal cactus which was very common in Mexico and southern Texas. The cactus "buttons" were consumed by eating or smoking, which kept it out of the liquor category in the eyes of the law. In a court case on the Pine Ridge Reservation of South Dakota, Richard Black Bear had been convicted of intoxication by peyote, but the decision was overturned by a higher court because peyote did not qualify as a liquor.<sup>43</sup> Findings like this frustrated Sells and made it difficult to restrict peyote use.

Representative Harry L. Gandy of South Dakota pledged to prohibit peyote use among Indians. He introduced legislation in 1915 to carefully limit its use, and this attracted a lot of support from Sells and the reformers. Gandy charged that in theory peyote was used for religious purposes, but in reality it just provided a means for immorality. Gandy outlined many of the negative effects of this drug. It allegedly caused muscular depression, sound distortion, impaired vision, hallucinations, lengthening of time, and was just as habit-forming as alcohol.<sup>44</sup>

The major obstacles to restricting peyote came from its widespread use as a medicine and as a part of religious

ceremonies for the Native American Church. Ardent assimilationist Reverend Lyman Abbott asserted in 1917 that peyote was not really the sacrament of a true religion, as practitioners claimed, because it only caused hallucinations and excited sexual passions. He called peyote a "dry whiskey" and doubted its benefits as a medicine because he believed that it did not cure alcoholism, but, merely switched dependencies.<sup>45</sup>

Harry Black Bear, of South Dakota's Pine Ridge Reservation, was arrested for being intoxicated from peyote, but the case could not be prosecuted effectively because Black Bear claimed that he used the drug for a religious ceremony. This same defense of the drug kept Gandy's bill from passing which would have restricted the use of the drug. Dr. Harvey W. Wiley, a chemist, claimed that this peyote cult was not true Christianity because it was a drug-induced religion and therefore peyote should be restricted. Supporters of peyote use claimed that it was not a drug, but a natural part of the world because it was not manufactured by man. In addition, these supporters claimed they only used peyote in a fashion similar to the wine used in Christian communion. Wiley was outraged by the comparison and declared that this was a drug-induced cult and it should be prohibited.<sup>46</sup>

The Society of American Indians submitted an article to the Word Carrier in 1914 describing peyote and its

spiritual uses, but did not take a side in this furious debate. However, the Board of Indian Commissioners were less tolerant as they condemned it outright as a harmful drug that was dragging Indians into debauchery. Five years later, the Oklahoma Secretary of State issued a charter to a group representing numerous tribes for the founding of the Native American Church that would practice Christian beliefs with peyote as the primary sacrament. This legal action enraged practically everyone within the Indian office and the various reform groups, and prompted appeals to Congress for legislation that would outlaw peyote and not just restrict it.<sup>47</sup>

Dr. Harvey W. Wiley, associated with the Bureau of Food Sanitation and Health, declared that peyote was consumed like food, but did not qualify as such because it had no nutritional value. He warned against the creation of peyote churches because they could lead to future authorization of alcohol, opium and cocaine churches. Gertrude Seymour wrote to the Indian School Journal that peyote use was not a religion, but a dangerous drug habit that corrupted many Indians. Robert Hall, of the Society of American Indians, agreed with Seymour that the drug was harmful and at a conference of the "Friends of the Indian," he demanded outright prohibition.<sup>48</sup>

Despite the efforts of Sells, numerous reformers, and especially South Dakota Representative Harry L. Gandy,

peyote was not restricted during the commissioner's eight years in office. The debate raged well on into the twentieth century centering on two main issues. First, peyote did not qualify as an intoxicating liquor since it was a bean and not a liquid. Second, and more important, with the emergence of the Native American Church, the issue of religious freedom dominated the debate. Members of the church asserted that they used peyote the same way Christians used wine as the sacrament. Sells was unable to solve this complex problem or satisfy the outspoken proponents of both sides of the debate.

Health care, in general, improved little under Sells. He tried to increase the numbers of medical service employees in the field, but World War I demands for manpower seriously compromised his efforts. Likewise, the tuberculosis and trachoma epidemics which gripped the Native American population at the inception of his office holding showed no sign of abating. He increased funding, built more hospitals, and provided more education about health and sanitation topics, but a much larger national effort was needed to make a dent in these widespread problems. On a positive note, Sells did bring trachoma under control in Indian schools with the use of quick diagnosis and treatment.

Alcohol use was a bigger issue for Sells. He entered the office condemning its use among Indians and generally

supporting national prohibition. He did not have much difficulty removing alcohol from the Indian population because the sentiment of the country favored national prohibition. Contrastingly, peyote became the most controversial health subject of the entire administration and its final resolution would not come until the 1970s with a series of court decisions recognizing the validity of peyote use by members of the Native American Church. Just as World War I took many medical employees away from Indian service, it also called many Native Americans to duty which would create a larger national debate about citizenship for Indians. This issue occupied much of Sells' attention during the remaining years of his tenure.

· HOSPITALS AND HEALTH EMPLOYEES,  
INDIAN SERVICE, 1911-1921

| <u>YEAR</u> | <u>HOSPITALS</u> | <u>CAPACITY</u> | <u>PHYSICIANS</u> | <u>NURSES</u> | <u>HOSPITAL</u>  | <u>FIELD</u>   |
|-------------|------------------|-----------------|-------------------|---------------|------------------|----------------|
|             | <u>OPERATED</u>  | <u>(BEDS)</u>   |                   |               | <u>EMPLOYEES</u> | <u>MATRONS</u> |
| 1911        | 50               | 1,268           | NR                | NR            | NR               | NR             |
| 1916        | 81               | 2,283           | NR                | NR            | NR               | NR             |
| 1921        | 85               | NR              | 168               | 99            | 155              | 75             |

Source: Paul Stuart, Nations within a Nation: Historical Statistics of American Indians (New York: Greenwood Press, 1987), p. 102.



## ENDNOTES

<sup>1</sup>Francis Paul Prucha, The Great Father, v. 2 (Lincoln: University of Nebraska Press, 1984), 841-47. Commissioner of Indian Affairs Annual Report to the Secretary of the Interior, 1912, p. 17. These reports are housed individually on microfiche and are included in the annual reports of the Secretary of the Interior. These reports hereafter will be referred to as ARCIA.

<sup>2</sup>Ibid., p. 848-54.

<sup>3</sup>Elsie E. Newton, "The Work of the Field Matron," Indian School Journal 14 (November 1913): 107-09. Mary J. Freeman, "The Work of the Field Matron," Indian School Journal 14 (September 1913): 64-66.

<sup>4</sup>Mary J. Freeman, "The Work of the Field Matron," Indian School Journal 14 (February 1914): 276c.

<sup>5</sup>"Housing and Health," Indian School Journal 16 (June 1916): 546.

<sup>6</sup>ARCIA, 1914, p. 15-17.

<sup>7</sup>Joseph A. Murphy, "Work of the U.S. Indian Medical Service," Indian School Journal 15 (June 1915): 553-61. Estaiene M. DePectquestangue, "Indian Nurses and Nursing Indians," Quarterly Journal of the Society of American Indians 3 (July-September 1915): 169. The name of this journal changed to American Indian Magazine in January, 1916.

<sup>8</sup>Board of Indian Commissioners Annual Report to the Secretary of the Interior, 1919, p. 220. The Board of Indian Commissioners was a group outside of the government designed to be a watchdog organization over Indian Affairs. Their reports hereafter will be referred to as BICAR.

<sup>9</sup>ARCIA, 1914, p. 14-17.

<sup>10</sup>ARCIA, 1913, p. 14-16.

<sup>11</sup>"The Good Samaritan Hospital Kin-bi jo ba-i," Indian's Friend 25 (January 1913): 7. "The Good Samaritan Hospital Kin-bi-jo-ba-i," Indian's Friend 25 (February 1913): 8. "The Good Samaritan Hospital Kin-bi-jo-ba-i," Indian's Friend 25 (March 1913): 7.



<sup>12</sup>"The Good Samaritan Hospital," Indian's Friend 26 (February 1914): 7.

<sup>13</sup>"The Good Samaritan Hospital," Indian's Friend 26 (February 1914): 7. "Our Navajo Mission and Hospital," Indian's Friend 26 (November 1913): 6-8. "The Good Samaritan Hospital, Indian Wells, Arizona," Indian's Friend 27 (December 1914): 6. "Good Samaritan Hospital," Indian's Friend 27 (June 1915): 6-7.

<sup>14</sup>Charles A. Eastman, "The Indian's Health Problem," American Indian Magazine 4 (April-June 1916): 139.

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<sup>16</sup>"Red Cross Fighting Tuberculosis Among California Indians," Indian's Friend 32 (July 1920): 5.

<sup>17</sup>"Attack Labor Camp Health Conditions," New York Times, January 24, 1913, p. 7.

<sup>18</sup>ARCIA, 1917, p. 16-21.

<sup>19</sup>F. Shoemaker, "Health Conditions Among the Five Civilized Tribes," Word Carrier 42 (June-August 1913): 15.

<sup>20</sup>John W. Duke, "Trachoma Precautions," Indian School Journal 17 (December 1916): 204. John W. Duke, "Trachoma," Indian School Journal 19 (November 1918): 103.

<sup>21</sup>John W. Duke, "From a Bulletin Issued By Oklahoma State Board of Health," Indian School Journal 16 (January 1916): 270. ARCIA, 1919, p. 25-32.

<sup>22</sup>"Our Medical Work," Indian's Friend 31 (November 1918): 6.

<sup>23</sup>Cato Sells, "Save the Babies," Indian School Journal 16 (February 1916): 292-96.

<sup>24</sup>Mrs. O.H. Lipps, "To Save The Baby, Help The Mother," Indian School Journal 18 (October 1917): 58-59.

<sup>25</sup>ARCIA, 1916, p. 60-2.

<sup>26</sup>Joseph A. Murphy, "The Prevention of Disease Through Keeping One's Mouth Healthy and the Proper Care of Teeth," Indian School Journal 16 (October 1915): 83-86.

<sup>27</sup>Prucha, Great Father v. 2, p. 854. H.U. Goltry, "The Common House Fly," Indian School Journal 14 (April 1914): 393-97.

<sup>28</sup>"Office Notes and Comment," Indian's Friend 25 (January 1913): 9. "Are the Indians A Dying Race?," New York Times, February 23, 1913, IV, p. 6.

<sup>29</sup>Cato Sells, "Indian Administration," delivered at the Lake Mohonk Annual Conference, 1915, p. 59 -70. This was an influential annual meeting of most of the diverse reform groups. These reports hereafter will be referred to as LMAC.

<sup>30</sup>ARCIA, 1916, p. 60-2. ARCIA, 1914, p. 45-7. ARCIA, 1918, p. 69-78.

<sup>31</sup>Correspondence from A.F. MacColl to Cato Sells, in Indian Rights Association Papers, Reel 29, February 9, 1914, p. 1. The papers of the Indian Rights Association hereafter will be referred to as IRAP.

<sup>32</sup>Correspondence from Matthew K. Sniffen to Cato Sells, in IRAP, Reel 32, February 9, 1917, p. 1-2. Correspondence to Matthew K. Sniffen from Cato Sells, in IRAP, Reel 32, February 19, 1917, p. 1.

<sup>33</sup>Correspondence from Samuel Brosius to Cato Sells, in IRAP, Reel 35, October 20, 1920, p. 1-3. Correspondence to Samuel Brosius from Cato Sells, in IRAP, Reel 35, December 9, 1920, p. 1-2.

<sup>34</sup>Correspondence from Two Leggens to Cato Sells, in IRAP, Reel 29, March 30, 1914, p. 1-4.

<sup>35</sup>"Sioux Indians Strongly Decry Liquor Traffic," Indian's Friend 29 (November 1916): 3.

<sup>36</sup>"Indians and Alcohol," Indian's Friend 29 (January 1917): 6-7.

<sup>37</sup>O.H. Lipps, "Liquor in its Relation to Carlisle," Indian School Journal 15 (March 1915): 346-49.

<sup>38</sup>U.S. Constitution, amendment xviii, sec. 2.

<sup>39</sup>"Effects of Prohibition," Indian's Friend 29 (July 1917): 3. "What Prohibition Did to Arizona," Indian's Friend 28 (May 1916): 3.

<sup>40</sup>ARCIA, 1920, p. 17-19, 46-7.

<sup>41</sup>ARCIA, 1917, p. 21-25.

<sup>42</sup>Mrs. Dorcas J. Spencer, "Indians and Prohibition," Indian's Friend 32 (January 1920): 5.

<sup>43</sup>Henry A. Larson, "The Indian and His Liquor Problem," American Indian Magazine 4 (July-September 1916): 234. "Peyote Protected By the Courts," American Indian Magazine 4 (October-December 1916) : 345-46.

<sup>44</sup>"Non-Alcoholic Intoxicants," New York Times, June 13, 1920, VII p. 17.

<sup>45</sup>Lyman Abbott, "The Menace of Peyote," American Indian Magazine 5 (April-June 1917): 134-36.

<sup>46</sup>"Non-Alcoholic Intoxicants," New York Times, June 13, 1920, VII, p. 17. "Peyote," Indian's Friend 31 (July 1919): 6.

<sup>47</sup>"Drug Induced Religion," Word Carrier 43 (September-October 1914): 20. BICAR, 1916, p. 349-51. "Charter Peyote Church," Indian's Friend 31 (March 1919): 5. "A Peyote Church," Indian's Friend 31 (May 1919): 3.

<sup>48</sup>Harvey W. Wiley, "Peyote," American Indian Magazine 9 (January-March 1919): 37. Gertrude Seymour, "Peyote Worship," Indian School Journal 17 (September 1916): 16-25.

## CHAPTER FIVE: MILITARY SERVICE AND THE CITIZENSHIP ISSUE

Throughout the late nineteenth century, Indians played a major role as scouts in the United States Army. Scouts were used as guides in areas that were unfamiliar to the army officers. Many Indians became scouts to learn the ways of white people gradually rather than being forced to accept an entirely new culture all at once. Both the army and the Indian scouts benefited from this cooperation. While Indians were exposed slowly to a new culture in which they would eventually have to assimilate, the army received guidance in unfamiliar areas, as well as necessary auxiliaries for battle.<sup>1</sup>

In 1891, John M. Schofield, commanding general of the army, and Secretary of War Redfield Proctor began a project that integrated Indian soldiers into regular army regiments. Unfortunately, within six years, the plan to produce all-Indian companies had failed, mainly because of prejudice on the part of army officers who were unwilling to work with Native Americans. Prejudice continued to plague Indians in their efforts to become regular members of military regiments. In the two years prior to the American involvement in World War I, little military preparation occurred except in Arizona where Indian boarding school graduates were organized into separate units in the Arizona National Guard. This philosophy, however, conflicted with

the ideas of Secretary of War Newton Baker and Commissioner of Indian Affairs Cato Sells who opposed similar units for the regular army.<sup>2</sup>

From its inception, the debate centered on whether Indian volunteers could enlist in all-Indian units or whether they would be integrated as individuals within the white regiments. Noted educator and military officer Richard Henry Pratt had supported the idea of segregated units during the 1890s because he felt that Native Americans could adjust to rigid military life more easily when surrounded by fellow Indians rather than when surrounded by racist white soldiers. Yet, by the beginning of World War I, Pratt had changed his views and agreed with Sells and Baker that the only way to quickly assimilate Indians into mainstream society was to fully integrate them into military units.<sup>3</sup> As the war approached, this became the dominating sentiment among reformers and government officials alike. Sells' program to assimilate Indians included integrated military units and eventual citizenship for all Native Americans. Unlike during Redfield Proctor's experiment of the 1890s, the media strongly supported Indian efforts during World War I and often glamorized their achievements. Thus, during the final four years of Sells' administration, the wartime conduct of Indian soldiers, homefront contributions from reservations, and the ultimate issue of

citizenship dominated much of the commissioner's time and energy.

When European powers went to war in August of 1914, the United States decided to remain officially neutral by adhering to its traditional isolationist policy. Canada, however, joined the Allies in support of Great Britain, and immediately dispatched large numbers of soldiers to France, including Native American volunteers from both Canada and the United States. Canada organized segregated units around the Six Nations of the Iroquois, as well as accepting entire companies from other tribes. The Canadian military's allowance of Indians to handle their own units without the autocratic sentiment that was evident in the Bureau of Indian Affairs, delighted the Word Carrier in 1915, and offered Indians a chance to prove their loyalty and leadership qualities.<sup>4</sup> This type of enthusiasm by Indians for performing their patriotic duty impressed Sells. Numerous periodicals, including Indian's Friend, Indian School Journal, and the Quarterly Journal of the Society of American Indians, continuously editorialized about the profound loyalty exhibited by Native Americans in their eagerness to defend democracy and their country. Gawasa Wanneh, a Seneca, asserted that the time was right for whites and Indians to come together to fight a common enemy. For many decades, the two had battled one another, but now Congress had a duty to allow Indians to take part in the

defense of their own country, and not to forget the role that Indian soldiers had played throughout American history.<sup>5</sup>

Sells recognized the historic role that Native Americans had played in the military, and, by 1917, had implemented a draft policy for Indians. Only those between the ages of twenty-one and thirty who were citizens were eligible for the draft. Sells relied on registration lists from superintendents of reservations for the pool of eligible men. Non-citizens, Sells ruled, should be evaluated on an individual basis if they were willing to serve as volunteers. The commissioner was favorably impressed by the positive spirit in which Indians volunteered to serve their country. He viewed Native American servicemen as acculturating agents who, like their earlier boarding school counterparts, would return to the reservations and become its new generation of leaders. By war's end, he estimated that at least 10,000 Indians had served in the United States military and these veterans had gained credibility with the public, opportunity for future military service, familiarity with English, inspiration for education, and a more energetic spirit for seeking success.<sup>6</sup> Chauncey Yellow Robe agreed with Sells' conclusions in an address to the Society of American Indians in Pierre, South Dakota. Yellow Robe claimed that Indians

were true patriots, and that military service was the best way to Americanize both Indians and immigrants.<sup>7</sup>

The American allies in Europe also thought highly of the Indians in regular military units. They contended that the Indians were eager to fight the "barbarianism" of the German monarchy and return humanity to Europe. Some Europeans were puzzled, though, about the enthusiasm of the Native Americans in light of newspaper reports of the heated debates and conflicts over the rights of Indians in the United States. Many Europeans saw this as a contradiction for Indians to defend their country while their rights at home were in question. The American Indian Magazine claimed that Europeans did not understand the nature of American political debate which encouraged lively discussion in order to formulate acceptable policy.<sup>8</sup>

Despite this possible contradiction, Native Americans volunteered in extraordinary numbers for military service. The Menominees from Wisconsin were a relatively small tribe that voted to support President Woodrow Wilson's declaration of war against Germany in 1917, and they sent one hundred of their 1,730 members to fight. Sells estimated that among all of the Indians who joined the military, eighty-five percent were volunteers. He also noted that schools especially helped in filling the country's military ranks. The commissioner estimated that about fifteen percent (60) of the boys at the Carlisle Indian School in Pennsylvania



had registered for the military. In addition, by 1918, at least seventeen men from Virginia's Hampton Institute had registered. Warren K. Morehead likewise noted in the New York Times that several hundred students and graduates of the Haskell Institute in Kansas had registered for the service, surpassing all other schools in the number of volunteers. The Board of Indian Commissioners therefore encouraged the building of rifle ranges at Indian schools to supplement the wide range of military instruction already received by all male students.<sup>9</sup>

The magazine Indian's Friend noted an ironic case near Bullhead, South Dakota. Seven Sioux volunteered for service at this small town which was near where the hated General George A. Custer had once served as an army officer. The periodical viewed these volunteers as a sign of progress and an exhibition of the true spirit of patriotism. The Indian School Journal published a report of the first Indian worker to quit his job in a factory to join the service. John C. Alexander, a full-blood Choctaw, quit his job in Wichita, Kansas to join the army. He saw this as a once-in-a-lifetime opportunity to serve his country. Alexander's celebrated case was followed by at least 160 Indian resignations from Wichita factories to join the army.<sup>10</sup>

As the war continued, both European allies and American soldiers told stories of the bravery of Native Americans in the service. Sells spoke so highly of Indian servicemen in

his 1919 annual report that he compared their abilities to the gods of mythology.<sup>11</sup> Obvious exaggeration, though, did not deter journals and newspapers from illuminating Indians' achievements in a more accurate manner.

In a 1918 article in Indian's Friend, the anonymous author asserted that Native Americans were extremely useful as scouts to find the enemy's concealed location. Corporal Walter Snow, a twenty-four year old full-blood Sioux and member of the 122nd Infantry Division, also known as Chief Little Drop, killed two German soldiers of the four who tried to ambush his unit's camp. The other two German soldiers retreated in fear, and Snow became a hero. Many magazines played up the stereotypical image that Germans so feared the "barbarians" from America that they sometimes fled in panic. Nonetheless, Snow was rewarded for his efforts with the Croix de Guerre.<sup>12</sup>

Many periodicals emphasized what they called the "natural abilities" of Indians to be consummate warriors. Frequently they focused on the alleged innate skill of Indians to move silently across "no-man's land" and into the enemy camp. This stereotypical talent was attributed to their natural familiarity with nature and their decades of experience in fighting guerilla-style in the American forests, deserts and on the Plains. One such "super-warrior" was Charlie Rogers, a full-blood Sioux from Standing Rock Reservation in North Dakota and a member of

the 18th Infantry Division, who scared twenty German soldiers away because of his "war-whooping" as the battle began.<sup>13</sup> Although intended as laudatory praise, such media exaggeration stressed the old image of warrior over assimilated citizen, and this one-dimensional image worried some reformers who were looking for a non-martial role for the Indian after World War I.

Despite inaccuracies and exaggerations, the work of Indians in the military was extraordinary. Two gained special distinction beyond the rest. Joseph Oklahombi, a Cherokee, captured 171 German soldiers and took control of their system of machine-gun nests, in a scene reminiscent of Sergeant Alvin York's well-known accomplishments. Secretary of the Interior Franklin K. Lane applauded his special brand of heroism and Marshal Henri Petain pinned Oklahombi's Croix de Guerre. Otis W. Leader, a Choctaw from Calvin, Oklahoma, captured two machine-gun nests and took eighteen enemy prisoners. Once he returned from battle, he underwent treatment for exposure to mustard gas. Based upon this exceptional accomplishment, a leading French artist selected Leader as the "typical" American soldier on which to base his famous portrait which hangs in the War Museum in Paris.<sup>14</sup> Ironically, this French artist chose an Indian to represent all American soldiers, and this helped support Sells' philosophy advocating the integration of Native Americans into white military units.

Herbert Welsh, of the Indian Rights Association, claimed that the greatest benefit of the war for Indians was their association with white people which would speed assimilation. Nearly all reformers and Sells agreed that Indians should join regular military forces and not be segregated into Indian-only units. Sells felt that this would show "unity" in order to rescue the "old world from medievalism," and also prevent discrimination. However, in Nebraska, well before the United States declared war, some Winnebagos formed their own companies to prepare for war. Sells and other reformers did not support this action, but did applaud their initiative and dedication to the protection of their country.<sup>15</sup>

Sells opposed separate units for Indians because he felt that it would slow their assimilation into white society. While he claimed that Indian soldiers were equal to whites, Sells and the military both supported the maintenance of four separate, all-black regiments which had been organized immediately following the Civil War. Neither Sells nor the ranking military officers could explain this obvious contradiction in the two types of social experiments. In the end, the commissioner claimed that the Indian volunteer rate was well over 85% of those eligible for service, which surpassed all other ethnic groups. He also reported no incidents of resistance to military service, even from the most tradition-bound of tribes and

those that had been at war with the United States only three decades earlier.<sup>16</sup>

However, the New York Times and the Indian School Journal recorded a number of incidents of Indian resistance to the war effort. Clara Root, an Arapaho student at the Chilocco School in Oklahoma, expressed her disgust over the war. As a pacifist, she declared that the only way to settle disputes was by arbitration. She also believed that if all countries disarmed then arbitration would be the only alternative. Root pointed out the contradiction between a court system of arbitration and the martial actions of government. In court cases, arbitration and compromise were the rule, and violence and force were condemned, but governments were not required to adhere to these rules. This student wondered how people could respect the law or the government as long as these contradictions existed. Root also noted the terrible financial burden that war placed on each country. She believed that the money from the war could have been spent on education and health care for all Americans. World War I cost the United States 97 billion dollars, according to Root, which was twelve times the cost of the Civil War. She concluded that when disputes were settled by force, only hatred resulted.<sup>17</sup>

Root's prophetic statements were echoed by Tom McNeal, a writer for the Oklahoma Farmer. McNeal disagreed with the war, but he more fervently attacked the notion that

mandatory military training should be imposed. While supporters of the draft claimed that this would make good, strong men and prevent the United States from being caught unprepared again, McNeal argued that this was false. He claimed the intention of such military training was to make consciousnessless killers out of young men. McNeal further asserted that military training for American young men was contradictory to the purpose of the present war. After all, the American intention was to destroy the militarized power of Germany and to restore peace, not to replicate the same brand of militarism.<sup>18</sup>

While relatively few Indians opposed the war on moral grounds, many did protest the draft registration process which was poorly explained by government officials. In June of 1917, a protest against draft registration by Ute Indians in Ignacio, Colorado ended with all but eleven of the Indians ultimately registering. Sheriff John Alexander sent a posse to return the eleven men who had refused to cooperate. Those who opposed registration did so because they thought that they were going to be sent to fight immediately in France. Once this misunderstanding was resolved, nearly all submitted to the process.<sup>19</sup> Exactly one year later, Henryetta, Oklahoma erupted in chaos. More than 250 Creek Indians reportedly revolted against military service, armed themselves, and moved into the nearby hills. Only fifteen of the sixty-five called to register followed

instructions to return and submit to federal authority. An unnamed woman from nearby Council Hill supposedly had been spreading propaganda against the American government and its involvement in the war. She allegedly convinced this large group of Indians to revolt, and planned to organize a secret society to oppose the government and its war effort.<sup>20</sup> The story proved to be greatly exaggerated and the resentment rested more upon previous government land fraud toward the Creeks than it did upon wartime issues.

Despite isolated pockets of resistance, wartime dissent among Indians was never significant. Sells estimated that about 10,000 Indians were in the military service out of only about 33,000 who were eligible for the draft. Various means of support also came from those at home who were not eligible for the military. By 1918, Sells noted that more than 10,000 Indian memberships in the Red Cross had been purchased, especially among the tribes of Oklahoma. Just one year after Sells' report, the New York Times reported over 20,000 Indian memberships in the Red Cross, and one auction by the Omaha Tribe raised more than \$2,000 for this relief organization. Many Indians could not afford to donate money, so they donated time and effort in knitting sessions and letter-writing campaigns sponsored by the Red Cross.<sup>21</sup>

Probably the most profound homefront effort among Indians was the purchasing of Liberty Bonds. Sells asserted

that in the second issue of the bonds, Indians purchased almost \$4.5 million worth, and in the third issue, they purchased a similar amount. On the fourth issue, Indians purchased well over \$4.5 million of bonds. This averaged out to be more than \$50 per Native American nationwide, and the total investment easily exceeded \$20,000,000.<sup>22</sup> Many examples of generous gifts came from Oklahoma where some oil-rich tribes such as the Osage lived. Yet, even the poorer Odanah tribe in Wisconsin contributed more than \$200,000 in Liberty Bonds, which was a generous output from this small group.<sup>23</sup>

Commissioner Sells and the New York Times proudly reported the most generous purchase of Liberty Bonds by a single Indian. Jackson Barnett, a Creek from Oklahoma, earned \$50,000 per month from his oil-rich allotment, but was still considered incompetent because the wealth did not change his traditional lifestyle. Barnett claimed that he only needed \$50 per month on which to live. He invested, through his guardian, over \$800,000 in Liberty Bonds and gave more than \$50,000 to the Red Cross, asserting that the money would just remain idle otherwise. Sells and many others praised Barnett for his generosity and patriotic support.<sup>24</sup> Unfortunately, much of the money placed in war bonds came from tribal investment funds which the federal government manipulated without tribal approval or input.



A movement began in 1917 at the highest federal level to draft Indians into service as farmers. Sells called on Gabe E. Parker, a superintendent in Oklahoma, to organize the effort to bring together 30,000 Indians to increase agricultural output to feed the war-ravaged European countries. Some Indians in California preceded Sells in this effort and increased their agricultural production a year earlier to help in the "white man's war."<sup>25</sup> The cultivation of land by Indians increased by over 30% between 1915 and 1916, from 358,796 acres to 472,156 acres. By 1918, over 750,000 acres had been plowed by Indians for wartime food production, but Sells and other government officials, while praising Native American efforts, turned to leasing Indian land to whites as a way of increasing productivity and appeasing white agricultural interests.<sup>26</sup>

While Indians in the military and at home poured a lot of money, time and blood into the wartime effort, their patriotic endeavors reopened the old debate about the correct timing for citizenship legislation. Many people felt that since Indians had been so helpful to their nation in its moment of trial, they deserved to become citizens right away. Others, like Sells, held a more conservative view.

The citizenship debate for Indians began well before Cato Sells took office in 1913. Some reformers had wanted to grant citizenship outright to all Indians, just as they

had to former slaves after the Civil War. However, citizenship for Native Americans was a more complicated issue because of their complex individual and tribal property holdings. Many assumed that the 1868 Fourteenth Amendment to the United States Constitution granted citizenship to all persons born or naturalized in the United States. But it did not include non-taxed Indians who retained their tribal affiliations as quasi-independent nations, as well as their unique treaty-based relationship with the federal government.<sup>27</sup>

The 1887 Dawes Severalty Act gave Native Americans the first opportunity for citizenship which was speeded up by the 1906 Burke Act. These measures were encouraged by white land speculators who were eager to settle sections of the western United States. Once Native Americans were declared competent, they were free of government protection and were able to handle their land allotments as they chose. This proved to be devastating for most Native Americans as each succeeding commissioner hastened the process of releasing Indians from federal control, and more land passed into white hands. Even though Sells encouraged the speedy granting of citizenship through the awarding of land patents, he opposed the rapid pace which some reformers advocated. Indian patriotism at home and in Europe during the war again sparked a heated debate on this subject.<sup>28</sup>

In sympathy with Sells' position, former President Theodore Roosevelt asserted that Indians needed to be freed, but not too quickly or too slowly. He urged the Indian Bureau to find the proper balance, and predicted that only about half of the Indians would make a successful transition to mainstream society at that time. In typical paternalistic fashion, Roosevelt believed that to turn an adult Indian loose outright would be comparable to requiring an eight-year-old white boy to support himself. He concluded therefore that the acculturation process could take more than a generation to complete.<sup>29</sup> In most ways, Sells agreed with Roosevelt. The commissioner opposed a blanket policy for citizenship that would release all Indians into full citizenship. He claimed that "untutored" Indians and those with more than one-half Indian blood should remain under government protection. Sells asserted, though, that even those who were released and became citizens should be granted a five acre plot of land that was protected as a safety measure in case they failed in mainstream society. Sells' paternalistic policy found a favorable audience with other government officials.<sup>30</sup>

The Board of Indian Commissioners supported Sells' more conservative approach to Indian liberation. This group claimed that they supported the freeing of Indians as quickly as possible, except for those with more than one-half Indian blood. For those Native Americans, individual

analysis of their competency was required. The Board used statistics to support their position. Over 70% of Indians had more than one-half Indian blood, excluding the Five Civilized Tribes of Oklahoma which were more thoroughly intermarried with non-Indians. Yet even in the latter's case, 50% had more than half Indian blood. Among the Indians supervised by the Indian Bureau, excluding the Five Civilized Tribes, only 55% spoke English, and only 37% could read or write the language. Based on these statistics, the Board supported Sells' opposition to a blanket policy.<sup>31</sup>

In Sells' 1920 annual report, he supported the granting of citizenship to those Native Americans who served in the war and were honorably discharged. He believed that this experience had brought Indian veterans into the "civilized" world and they were now ready for the responsibilities of citizenship. Many reformers and legislators argued, though, that this still left large numbers without citizenship. Offering an opposite viewpoint, Representative Frederick W. Dallinger of Massachusetts, asserted that if all Indians were released from federal responsibility, the Indian Bureau would be dissolved, thus throwing thousands of Bureau employees out of work, which he found totally unacceptable.<sup>32</sup> Between the two extreme positions, Sells seemed to occupy the middle ground of moderation on the citizenship issue.

Richard Henry Pratt encouraged Sells to set his administration apart from all of the others by introducing dramatic measures, such as wholesale liberation, that would change the lives of Indians forever and break the pattern of the past. Unfortunately, Sells did not respond as Pratt would have liked and this set off a bombardment of opposition to Sells' hesitant policy.<sup>33</sup> The Society of American Indians led the attack on Sells and the drive for citizenship for all Native Americans. Charles A. Eastman organized lecture tours by members of the Society to spread the word about Indian citizenship. Eastman, a Santee Sioux, erupted in anger when he learned that Sells had denied his lecturers access to reservations for their speeches. Eastman unfairly charged Sells with corruption and claimed that the Indian Bureau would not allow these Indian lecturers on the reservations, but would allow unscrupulous whites to buy and sell anything on those same reservations. Eastman further assailed Sells for becoming a tyrant over the Indian Bureau. Dennison Wheelock, of the Society of American Indians, agreed with Eastman, but did concede that perhaps some Native Americans were not ready for citizenship. In the end, though, Wheelock believed that the abusive nature of the Indian Bureau was far worse for Indians than if they lived in mainstream society.<sup>35</sup>

As a part of Sells' paternalistic policy, an extended protection period of ten years would be implemented if an

Indian was found incompetent to manage his own affairs. Horace J. Johnson, Superintendent of the Sac and Fox Agency in Oklahoma, believed that this policy was destructive to the lives of Native Americans. Many of the Indians who would receive extensions were elderly and by the time they were granted citizenship, they would be beyond a productive age, according to Johnson. He did not believe that these Indians were naturally lazy or idle, but rather they needed the opportunity to live on their own.<sup>36</sup>

Gabe E. Parker, Superintendent in Oklahoma, noted that the ultimate end for Indians was citizenship. He recorded in 1914 that out of 304,640 Indians, only 160,311 were citizens, and 138,329 were not. Even before American involvement in World War I, Parker supported citizenship for all Native Americans without jeopardizing their tribal or property rights.<sup>37</sup> John Walker Harrington noted in the New York Times that many Indian were better prepared for citizenship than many immigrants. He referred to many Native Americans who held high government positions as examples. The most notable example was Oklahoma Representative and Chickasaw tribal member Charles D. Carter who had proposed legislation that would free all Indians from federal protection through the granting of citizenship. Furthermore, under Carter's bill, citizenship would not jeopardize tribal rights or affect existing

property status for either tribally- or individually-owned lands.<sup>38</sup>

Carter's proposal met opposition from Assistant Commissioner of Indian Affairs Edgar Merritt who accused the bill of decreasing or even eliminating the power of the Indian Bureau, which it obviously did. The Society of American Indians supported Carter's bill and similar legislative efforts, but none were passed. In 1918, a merger between Carter's and Arizona Senator Carl Hayden's bills found the wholehearted support of the Society. This bill included the following provisions: 1) all native-born Indians would become citizens; 2) all tribes would draft final rolls for allotment of land; 3) all tribal funds would be divided; 4) all allotted money and land was inheritable; 5) more money was given to those without land; 6) a three-person commission would be appointed by the president to determine competency; 7) this commission would consist of one Indian, one member of the Board of Indian Commissioners, and one Indian Bureau employee; 8) this commission would visit each reservation for individual competency evaluations; 9) this commission would report to Congress annually, and 10) these provisions would not apply to the Five Civilized Tribes of Oklahoma.<sup>39</sup> Provision seven attracted the most support, especially from the Society of American Indians, because it placed a Native American in a

position of power to help determine the future of his own people.

In the end, though, this legislation was defeated partially because of intense lobbying by Sells and the Indian Bureau. Sells opposed this bill because it granted the wholesale citizenship to Indians that he felt many could not handle, and it greatly diminished the power of his office. In early November, 1919, Congress passed legislation that conferred citizenship on all Native Americans who had served in the military during World War I and who had been granted an honorable discharge. The tribal and individual property rights of the new citizens were protected as well, and veterans' competency was automatically accepted. Congress sent this legislation to President Woodrow Wilson for approval, but the bill never received a signature. Instead, Wilson allowed the bill to become law without his approval by letting the time limit for signing run out.<sup>40</sup>

This one piece of legislation had two effects. First, reform groups, such as the Society of American Indians, were temporarily appeased with this partial fulfillment of their goals, but they soon returned to the struggle for full emancipation of Indians through legislative means. Finally, in 1924, without much debate, Congress passed an act declaring citizenship for all Native Americans.<sup>41</sup> Second, Wilson's failure to sign the 1919 piece of legislation



symbolized the "paternalistic" spirit of his administration. Citizenship for Native Americans was an official milestone toward the liberation of Indians. Yet, all of the problems that had plagued Indians for decades did not disappear with this legislative action. Land policy, health, and education remained perplexing questions for Native Americans, and bold, new solutions to these problems would have to await another decade before Commissioner John Collier undertook the Indian New Deal.

## ENDNOTES

<sup>1</sup>Thomas W. Dunlay, Wolves for the Blue Soldiers: Indian Scouts and Auxiliaries with the United States Army, 1860-90 (Lincoln: University of Nebraska Press, 1982), 11-13, 199.

<sup>2</sup>Michael L. Tate, "From Scout to Doughboy: The National Debate Over Integrating American Indians into the Military 1890-1917," Western Historical Quarterly 18 (October 1986): 419-21.

<sup>3</sup>Ibid., p. 426.

<sup>4</sup>"Indians As Soldiers," Word Carrier 44 (January-February 1915): 4.

<sup>5</sup>Gawasa Wanneh, "The American Indian As a Warrior," American Indian Magazine 4 (January-March 1916): 25-27. This magazine was published from 1913-1915 as Quarterly Journal of the Society of American Indians.

<sup>6</sup>"The Indian and the Selective Service Law," Indian School Journal 18 (October 1917): 72. Commissioner of Indian Affairs Annual Report to the Secretary of the Interior, 1919, p. 8-14. These reports are housed individually on microfiche and are included in the annual reports of the Secretary of the Interior. These reports hereafter will be referred to as ARCIA.

<sup>7</sup>Chauncey Yellow Robe, "Indian Patriotism," American Indian Magazine 6 (July-September 1918): 129-31.

<sup>8</sup>"Indians with the Allies," American Indian Magazine 5 (January-March 1917): 8-9.

<sup>9</sup>"Indians Are Patriotic," Indian School Journal 17 (June 1917): 531. "The Indians and the War," Indian School Journal 18 (January 1918): 229. "The Indians and the War," Indian School Journal 18 (February 1918): 265. Warren K. Moorehead, "Indians Anxious To Enlist," New York Times, November 2, 1917, p. 14. Board of Indian Commissioners Annual Report to the Secretary of the Interior, 1917, p. 336. The Board of Indian Commissioners was a group outside of the government designed to be a watchdog organization over Indian Affairs. Their reports hereafter will be referred to as BICAR.

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<sup>25</sup>"The Indians and the War," Indian School Journal 18 (October 1917): 73. "Draft Indians on Farms," New York Times, April 11, 1917, p. 12.

<sup>26</sup>Janet McDonnell, "The Disintegration of the Indian Estate: Indian Land Policy, 1913-1929," (PhD dissertation, Marquette University, 1980), 175-79.

<sup>27</sup>Francis Paul Prucha, The Great Father, v. 2, (Lincoln: University of Nebraska Press, 1984), 681-85.

<sup>28</sup>United States Statutes At Large, v. 24, p. 388-91. ARCIA, 1919, p. 6-8.

<sup>29</sup>Theodore Roosevelt, "Indian Citizenship," American Indian Magazine 4 (October-December 1916): 326-27.

<sup>30</sup>"Oppose Wholesale Indian Emancipation," New York Times, October 9, 1920, p. 32.

<sup>31</sup>BICAR, 1920, p. 8-9.

<sup>32</sup>ARCIA, 1920, p. 10-11. "Partisan Talk in the House," New York Times, May 24, 1919, p. 3.

<sup>33</sup>Correspondence from Richard Henry Pratt to Cato Sells, in Papers of the Society of American Indians, August 24, 1914, p. 1-4.

<sup>34</sup>"An Indian Citizenship Campaign," American Indian Magazine 7 (April-June 1919): 62-63.

<sup>35</sup>"Citizen Indians," American Indian Magazine 6 (April-June 1918): 93-95.

<sup>36</sup>Horace J. Johnson, "Equal Rights Under the Flag," Indian School Journal 17 (January 1917): 231-33.

<sup>37</sup>Gabe E. Parker, "The Great End: American Citizenship for the Indian," Quarterly Journal of the Society of American Indians 2 (January-March 1914): 60-62.

<sup>38</sup>John Walker Harrington, "Self-Determination for American Red Man," New York Times, August 10, 1919, VII, p. 4. Charles A. Eastman, "A Review of Indian Citizenship Bills," American Indian Magazine 6 (October-December 1918): 182-84.

<sup>39</sup>"Indian Citizenship Bills," American Indian Magazine  
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<sup>40</sup>U.S. Statutes At Large, v.41, p. 350.

<sup>41</sup>U.S. Statutes At Large, v.43, p. 253.

## CONCLUSIONS

Throughout the history of the United States, Indian policy has taken many different turns. In the late nineteenth century, reform groups such as the Indian Rights Association tried to assimilate "savage" Native Americans into the more "civilized" mainstream society. This organization and many religiously-affiliated groups introduced Christianity as a positive alternative to the "primitive" culture and religion of Native Americans.

Virtually all reformers believed that they knew what was best for Indians and they often disregarded opposing viewpoints from the indigenous peoples themselves. Most were white, middle class and well-educated men and women who lived on the East Coast of the United States, far removed from the cultures which they tried to change. Furthermore, reformers generally treated Indians as one entity and not the hundreds of unique tribes that they were. This lack of cultural understanding and physical distance from the cultures produced a myopia and often destructive policy agenda among these otherwise high-minded individuals and groups. However, reformers were caught in a contradiction. On the one hand, they preached about the importance of assimilating Indians into the mainstream culture to help bring them out of their "savage" ways. On the other hand, those same reformers never intended to treat Indians as social and political equals even after they were well on their way toward assimilation.<sup>1</sup>

As the nineteenth century ended, the wars between the United States and Indians faded, but the hostility that fueled these wars remained and made complete assimilation quite difficult. No longer capable of waging warfare for their lands and lifeways, Native Americans had become wards of the government, and in many cases were completely dependent on federal officials for their livelihood. The 1887 Dawes Severalty Act provided enabling legislation for the president to allot land among numerous tribes for twenty-five years. This land was protected by the government and could not be sold, leased, or taxed during this trust period. At the end of this time, the Indian Bureau would evaluate the competency of the Indian to determine whether he or she should be granted a title and a certificate of competency. If determined to be competent, the Indian was free to retain the land or to sell it.<sup>2</sup>

Cato Sells became Commissioner of Indian Affairs in 1913 during the "Progressive Era." This age was characterized by aggressive journalism that often uncovered scandals in business and government, and by a moralism that imposed traditional white values upon the public. Sells was a dedicated "progressive," but unfortunately he entered the Indian Bureau with little knowledge of Indians. Although he had a proven administrative record in Iowa and Texas and held to the high moral philosophy of President Woodrow Wilson, he also evidenced the same ethnocentric viewpoints and moral

certitudes as most progressives. One of Sells' first duties in office was to issue competency certificates to the first of the allotted Indians who were at the end of their twenty-five year trust period. The commissioner, and reform groups such as the Indian Rights Association and the Society of American Indians, advocated releasing Indians from ward status. Yet, while Sells took a more cautious approach, these reform groups wanted wholesale liberation of property holders from federal auspices as rapidly as possible.

For many years, the government had provided large amounts of money to help support Native Americans as their tribal land base was whittled away. Sells and most government leaders were looking for a way to cut back on government spending. They believed that if they freed Indians from ward status and cut off government support, this would accelerate Indian adjustment as full members of mainstream society, while simultaneously saving the government money. During Sells' term in office he released thousands of Indians from their protected status, which gave them the freedom that many reform groups advocated, but also destroyed the Indian land base very quickly. Many Indians, facing a new tax burden on the land and a lack of credit opportunities, quickly sold their property to white developers for less than it was worth, and wound up even more dependent than they previously had been.



Sells followed the progressive philosophy and believed that he knew how to administer Indian affairs, when in reality he gained his position as a political appointment and knew little about how simultaneously to accomodate hundreds of different cultures. In agreement with the Americanization theories of his day, he encouraged Indians to abandon their tribal affiliations and become part of the great national melting pot. He did not treat each of the tribes as a different cultural unit, but rather he took steps to try and homogenize their different qualities. As he left office in 1921, Sells had made some successful strides in the areas of education and health, but he had failed to clean up the corruption that plagued his Bureau. He also failed to resolve the multitude of disputes over land and to stem the tide of further losses of tribal and private lands. Many of these issue would not receive proper consideration until a dozen years later with John Collier.

John Collier became Commissioner of Indian Affairs in April of 1933, just a month after Franklin Delano Roosevelt had taken the oath as president. He entered the office when the country was in the midst of an economic depression, and yet he approached his duty with excitement and enthusiasm. Collier held numerous meetings with experts on Indian issues, including Native American leaders, and eventually reorganized the entire Indian Bureau. He intitiated the "Indian New

Deal" to mirror the national measures undertaken by Roosevelt.

Unlike previous commissioners, Collier believed in the preservation of Indian societies and tribes. He argued that these societies should be recognized by the government and given responsibility and power. The new commissioner asserted that the land was a vital part to the continuance of tribes in their traditional way, and the government should respect Indians' traditional land use pattern based upon the group rather than the individual. Collier asked that all freedoms of the United States be guaranteed for Native Americans and that they be given a greater role in managing their own affairs in coordination with the Bureau of Indian Affairs. In order to ensure long-lasting freedom for all Native Americans, Collier promoted the idea of extending credit for Indian investment, as well as reorganizing the entire Indian educational system to fit new realities.<sup>3</sup>

From the late nineteenth century through World War II, Indian policy in the United States drastically changed. It began with the reform organizations trying to impose their values on Indian cultures out of a one-sided missionary zeal. That spirit still existed during Sells' tenure, but the financial concerns of the Bureau, the president and congress superseded the needs and concerns for the welfare of Native Americans. Sells' administration can be viewed as a transition from the assimilationist ideal to the multi-

cultural ideal of John Collier. Sells tried to free Indians to become a part of mainstream society, but at the same time he wanted to keep Indians under Bureau protection. This mixed message confused government officials, as well as Native Americans. Despite his progressive ambitions for improving their lives, Sells failed to appreciably alter the strictures of a policy which continued to punish Indians for their uniqueness in American society.

## ENDNOTES

<sup>1</sup>Frederick Eugene Hoxie, A Final Promise: The Campaign to Assimilate the Indians, 1880-1920 (Lincoln: University of Nebraska Press, 1984), ix-xvi.

<sup>2</sup>U.S. Statutes at Large v.24, p. 287-91.

<sup>3</sup>Francis Paul Prucha, The Great Father v. 2, (Lincoln: University of Nebraska Press, 1984), 940-45.

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